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REVIEW OF THE ANTI-DRUG ABUSE ACT OF 1986

JOINT HEARING

BEFORE THE

SUBCOMMITTEE ON FEDERAL SPENDING, BUDGET, AND ACCOUNTING

OF THE

COMMITTEE ON GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

AND THE

SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

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REVIEW OF THE ANTI-DRUG ABUSE ACT OF 1986

MONDAY, MAY 4, 1987

U.S. SENATE, SUBCOMMITTEE ON FEDERAL SPENDING, BUDGET AND ACCOUNTING, COMMITTEE ON GOVERNMENTAL AFFAIRS, AND THE SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL,

Miami, FL.

The Subcommittee and the Caucus met, pursuant to notice, at 10 a.m., at Miami-Dade Community College, Miami, FL., Hon. Lawton Chiles (Chairman of the Subcommittee) presiding.

Present: Senators Chiles, Biden, and Graham.

OPENING REMARKS OF DR. EDWARDO PADRON, VICE-PRESIDENT OF MIAMI-DADE COMMUNITY COLLEGE

Dr. PADRON. I would like to welcome all of you to Miami. I know you have a very important meeting ahead of you and I wish you luck.

I want to know if there is anything we can do to make your stay here more comfortable. Please take stock around to see whatever way we can assist you.

Senator Chiles, Senator Biden, Senator Graham, we are very honored to have you here. Good luck.

OPENING STATEMENT OF SENATOR CHILES

Senator CHILES. Thank you very much, Dr. Padron.

We can't tell you how much we appreciate your allowing us to use your facilities here on your campus.

And I, together with Senator Graham, want to thank Senator Biden for our being here and participating in holding this hearing with you.

If you glance at your map today you will know that we're sitting almost on the Tropic of Cancer. In fact, we're closer to the Bahamas, the Caribbean and Cuba than we are to the Nation's capital. And that southern international exposure in South Florida is part of the drawing power of the nearly 35 million people who visit our State every year, and so our geographical placement on the continent rewards us with all kinds of bountiful favors; a shoreline and climate.

Yet, it's the same southern exposure that positioned us as the conduit into the United States from so many other parts of the world; and we know that over the years at one point that cargo was Africans who sold their own folks as slaves, and we know that rum was the overflowing cargo, illegal cargo, during prohibition times and most recently that illegal cargo has been illicit drugs.

The drug routes to the south are shown on aeronautical maps. Most of the cocaine and heroin imported into the United States enters through Florida. Unfortunately most of it enters undetected. It gets sold on our streets and on the streets of our Nation, even with our efforts in South Florida; and no one knows no better than the two Senators that are here with you today. Senator Biden co-chaired the Committee on Anti-Abuse of Drugs and Crime and he's taken a strong, strong leadership role in that regard.

Senator Bob Graham learned about drugs the hard way. He was Governor of Florida. His knowledge and experience and strengthening the State's narcotics laws certainly prepared him well, for the United States Senate.

We are here today as members of the United States Senate. We have a responsibility to try to strengthen our policies against drugs and we know that doesn't stop with the passage of the new drug law.

We are here today to begin to take those first steps to see that it's implemented and implemented in the right way, make sure that it's funded and make sure that the agencies work together and coordinate their efforts.

This is the first of several hearings that we intend to hold on this issue and obviously we can't let up until we're satisfied with those overall efforts, and the coordinated efforts which Senator Biden has been pushing and with many of us such coordination for a long time, and we know that now Senator Graham with his vast experience on the State level is going to be a leader in that too.

Our witnesses represent all levels of the government. It's going to take a coordinated, well-applied effort just to make medical gains in our drug treatment. I'm very familiar with our witnesses' skill and experience in fighting drug trafficking and I look forward to their continued counsel on how we can go ahead with it.

We are going to get a number of ideas today but primarily how it looks like the new bill is going to work. Again I think part of the success of Senator Biden and myself and Senator Graham as well is how do we get a drug Czar to sort of see that we have some real coordination and some real authority and responsibility and a position which we know that the buck will not be passed on somewhere else and there will be someone to referee all these disputes.

Senator Biden?

OPENING STATEMENT OF SENATOR BIDEN

Senator BIDEN. Thank you, Senator Chiles. I just have a brief statement. And I want to make it clear to the witnesses and the press that this is, notwithstanding three Democrats here this is a bipartisan effort. I am here in not merely my capacity as Chairman of the Judiciary Committee. I have, like all of us have, an interest in this, I did co-chair the Senate Caucus on International Control of Narcotics. The co-chairman of that Committee is a Senator from New York, Senator D'Amato, and he helped; he wanted to set these hearings up but he's across the country and that's the only reason he's not here is because of another hearing in New York State at this time.

But that's the first point I'd like to make.

The second point is that we have the benefit of having officials here from the State and the former recent past Governor of the State on this panel; and one of the things that Senator Chiles referred to several times that has been an impressive and a pet project of mine and others, Senator Chiles, I think it'd be the single most important thing that has to be done and that's to better coordinate the resources we have.

All the significantly increased voices on a lot of Federal levels deal with the problem. It's an unwieldly immense problem and it seems to me and others that we need more coordination. That's why the testimony today will be so valuable. I'd like to get a sense of how much coordination exists with this so-called drug czar. We'll be asking you about will this in fact facilitate it, and some argued it will make more difficult the so-called war on drugs.

And the last thing, we have a tendency to talk about these wars on drugs. Senator Chiles and I have, it wouldn't be an exaggeration to say, literally worked around the clock at the end of the last session to put together this so-called drug control bill, that anti-drug bill for ten different ways but a significant piece of legislation. And everyone was for it. Then when we tried to put it together we found that it took an awful lot of late night effort at the last minute; and the Administration said they were for it.

It called on and spoke to a partnership between people of the State. But in my observation and experience that partnership has tended to be a one-way street. We can give you additional responsibilities and don't often come forward with the financial assistance you say is going to be forthcoming whether it's in the area of education or in the area of treatment or in the area of interdiction, in the area of arrest and prosecution.

One of the issues I'd like to speak to, and that's what they all speak at some point, is the necessity of a total long term plan to know how much of a partner the Federal Government is and how long it plans on staying in in terms of financial commitment to the areas that they say that they're going to contribute.

We are very anxious to hear what you all have to say.

And I yield now to my colleague Senator Graham.

OPENING STATEMENT OF SENATOR GRAHAM

Senator GRAHAM. Thank you very much, Mr. Chairman.

I will be brief so that we can get to the excellent people who are with us today.

I welcome you to Florida, to Miami and to the New World Campus. This is a very appropriate location for this hearing. Mitchell Wolfson was one of the towering civil figures in this community for many years and for many years was the Chairman of Miami-Dade Community College Board of Trustees.

New World describes the attitude that is so prevalent in this community today. We are a New World Center, whose boundaries are the total planet.

We had an opportunity early today to see some of the resources of the Coast Guard and some of the resources of the City of Miami, and I think you can physically sense that excitement.

Senator BIDEN. It was a very damaging tour because my staff was with me and they do not want to go back working. I'm not sure I should have brought them.

Senator GRAHAM. The State of Delaware is a wonderful State and you have very perceptive, intelligent staff members. [Laughter.]

Senator BIDEN. I'd like to point out that they'd rather be in Delaware than in Washington. [Laughter.]

Senator GRAHAM. There are, I believe, some fundamental truths in this. One of those is that this is not a local problem. It might be that we are the main point through which drugs are imported into the United States; but drugs that come in through Miami end up in all the cities and communities across this land, and the resources spent here are by no means parochial expenditures.

Second, that highway to vulnerability is a symptom of the vulnerability of our Nation's borders for any other purpose. And so as we commit resources to more effectively protect our borders against drugs we are also protecting the Nation's security.

And third, this issue is not going to be solved even with the kind of investment that we have and it will remain in the future in Coast Guard vessels and helicopters and Customs agents and all that panel of law enforcement matters and education element, rehabilitation preventive element.

Some of the questions which I will speak to today are the effectiveness of initial efforts that were communicated through the 1986 drug act and its predecessors, what is the current level of cooperation and coordination particularly in the case of this panel as among local, state and Federal agencies.

What are the potential roles of the Department of Defense resources and personnel, how they function thus far. How they might be better employed.

All these questions are especially timely.

Senator Chiles has before the Senate this week a budget resolution which in part will be a place in which we make our decisions and what our level of financial commitment will be to these efforts.

I'm certain that the evidence at this hearing will be not only significant to us and those on the committees but also to the entire Congress as it decides what level of commitment we have to winning the war on drugs.

Thank you, Mr. Chairman.

Senator BIDEN. Why don't we pick up before we begin. I'd like to ask unanimous consent to have the statement by Senator D'Amato on this subject be entered in the record at this time.

Senator GRAHAM. Yes.

[Senator D'Amato's prepared statement follows:]

OPENING STATEMENT OF SENATOR D'AMATO

Mr. Chairman, I commend you, Senator Chiles, and Senator Graham, for calling this important and timely hearing of the Senate Caucus on International Narcotics Control. No two states feel the devastating effects of the drug epidemic more keenly than Florida and my own State of New York. No two states suffer more from crack, criminal aliens who traffic in narcotics, and long treatment center waiting lists. For this reason, I very much regret that a long-standing prior commitment prevents my

being able to attend today's hearing. I thank you for the opportunity to submit this statement for the record.

On October 17, 1986, the Senate passed the Anti-Drug Abuse Act of 1986. The President signed the bill into law on October 27. In that month prior to the November elections, the papers were filled with reports of the "real war on drugs" this new law was going to unleash.

Today, waiting lists for drug treatment centers are longer than ever, and cities like New York and Miami are experiencing a surge of drug-related crime. The problem is worse than ever.

But the election is over, and now we are seeing signs that the promises made last Fall are being forgotten. Neither the Administration nor the Congress is blameless.

The United States Senate, for example, has yet to guarantee the Coast Guard the funds necessary for the drug interdiction program promised in last year's drug bill. Section 3251 of the Anti-Drug Abuse Act promises to increase Coast Guard positions to 39,220, and to increase the use of Coast Guard ships and planes for drug interdiction.

We need to provide the Coast Guard with:

1. The $75 million that the Coast Guard received from the Department of Defense last year for military readiness, and the $15 million it received from the Defense Department to place Coast Guard personnel on Navy ships for Drug interdiction purposes.

2. The $16.1 million that the Coast Guard needs to operate the equipment and facilities it acquired last year, such as: Two new Coast Guard cutters; two new aerostat radar balloons; a new patrol boat; and three new helicopters.

3. The $30.6 million needed to operate new equipment being acquired this year, such as: three 270 foot cutters (Legare, Thetis, and Forward) and additional C–130 long range drug interdiction search planes.

Either we provide the funds our law enforcement agencies need, or they will have to: stop buying spare parts; reduce the number of hours their planes and ships operate; cut their drug patrols to save fuel; and stop recruiting.

Unless we address these problems, all the promises we made when we passed last year's drug bill are nothing but a sham.

Last month, the United States Senate backed away from taking another important step authorized by the Anti-Drug Abuse Act. It refused by a vote of 49 to 38 to decertify Mexico for not fully cooperating with the United States in the war on drugs.

As the following facts make clear, Mexico is not fully cooperating:

There have been no convictions for the murder of DEA Agent Enrique Camarena.

Last year, Mexico seized only .01 tons of heroin, but it produced between 2 and 4 tons of heroin.

The State Department's International Narcotics Control Strategy Report states: "While existing laws are adequate, Mexican enforcement, conviction, and sentencing is less than adequate and, in many cases, non-existent," and, "little has been done to halt money laundering up to now."

What has happened to the commitment that was so much in evidence before the November elections?

With respect to treatment and education, the Administration has proposed massive cuts for the coming fiscal year. Emergency assistance money to reduce treatment center waiting lists has not been distributed, while the lists grow longer every day.

There were 2,134 people on the waiting lists for drug-free residential programs in New York State as recently as February.

Most of the drug prevention and education money has not yet been distributed.

What are the people in law enforcement, schools, and treatment centers to think when they see us play these games? How can they plan next year's activities when they have to question whether the money will be there? How long will it be before even the most dedicated become cynical and disappointed?

These issues are certainly relevant to the work of the Caucus. When cuts are proposed in the United States for our drug law enforcement, prevention and treatment programs, our nation's credibility in other nations suffers. Such cuts are frequently announced by the media of Colombia, Bolivia, Pakistan and other drug producing nations. They are used as excuses for inaction by other nations. They weaken the hands of the dedicated people in other countries who are working against enormous odds on behalf of international narcotics control.

This is not the time for business as usual. It is not the time for promises that we break as soon as we make them. It *is* time to hold our elected officials reponsible, and to ask them:

Are you as good as your word?

Do your budget priorities reflect your rhetoric?

Does your budget fund drug law enforcement, prevention, and treatment at the levels necessary to win this fight?

We want no equivocation, no excuses, no double-talk. We want a simple, straightforward and enthusiastic Yes.

Senator BIDEN. And why don't we start in the order we are sitting here. Let's start out with you, Mr. Attorney General, with Attorney General Butterworth; and then with Mr. Dempsey, Commissioner of Florida Department of Law Enforcement; and Janet Reno, State Attorney of Dade County; and John Hogan, Statewide Prosecutor; and Fred Taylor, Metro-Dade Police Director. We can go in that order.

TESTIMONY OF BOB BUTTERWORTH, ATTORNEY GENERAL FOR THE STATE OF FLORIDA [1]

Mr. BUTTERWORTH. Thank you very much, Senator. It's a pleasure to be here today. I'll keep my remarks short. I know you have questions you want to ask each of us.

I believe that your coming to Florida demonstrates the high priority you have apparently given this subject. I am pleased and grateful for that.

I believe it is absolutely essential for the Federal Government to assume a broader role in drug-related enforcement. To be blunt, drug traffic is a national problem and drug eradication should be a top Federal priority. If it is not, then we have absolutely no hope of slowing drug flow because state and local law enforcement agencies have neither the authority nor the tools required.

Each bag of cocaine, each bale of marijuana that enters this country represents a failure. It's a failure of the Nation to protect it borders; and protection of our borders of course is a Federal function.

Here in Florida, law enforcement agencies at all levels do their best to stop the further distribution of drugs once they have penetrated our borders. The Florida Highway Patrol for example has given a top priority toward a program aimed at preventing our interstate highways from becoming cocaine expressways.

The fact remains that estimated 70 percent of the cocaine available in this country passes through Florida.

Local and State law enforcement agencies in Florida and other States are severely hampered in their investigations when that contraband is moved across State lines. The bulk of trafficking therefore is an interstate problem, and the Federal Government again is best equipped to contend with that.

The vast majority of trafficking that occurs in this State and other States has origins in some other country. This is one more aspect that can be effectively addressed only by the Federal Government. State and local law enforcement is hardly in a position to pursue its cases across international borders.

Seven years ago when I was serving as Sheriff of Broward County, which is one county north of where we are today, my office and other law enforcement agencies attempted to pursue investiga-

[1] See p. 59 for Mr. Butterworth's prepared statement.

tions of drug dealings into the Bahamas. Those islands are virtually suburbs of Fort Lauderdale. The beaches of Broward County are about as close to the West End of the Bahamas as they are to the western boundary of Broward County itself.

The State Department, to say the least, was not pleased with our activities. In those days the involvement of the State Department and the military in the fight against drug trafficking was nonexistent, with the exception of limited activity by the Coast Guard.

In recent years fortunately the efforts in Florida by a number of Federal agencies has been much better than it had been. But it has been stated that the funding for these efforts be reduced. I think that would be a grave error, send a wrong signal, and whose effect would reach well beyond Florida.

It's become cliche to describe the drug situation as a war. But in terms of destruction drugs are causing our society, make no mistake about it, we are in what's the equivalent of a state of war. It is a war we will lose without a bold commitment from Washington.

A key step towards meeting that commitment would be the creation of the cabinet level narcotics officer as proposed in your legislation. Such a program, in my view, would give us the mechanism for the nationwide international coordination that is so essential.

Whether you term it a war or otherwise, we are in a very dangerous fight, one which demands that we pool our resources in pursuit of our common enemy. And I think our citizens expect nothing else.

Thank you very much, Senator.

Senator BIDEN. Thank you very much.

Mr. Dempsey.

TESTIMONY OF ROBERT R. DEMPSEY, COMMISSIONER, FLORIDA DEPARTMENT OF LAW ENFORCEMENT [1]

Mr. DEMPSEY. Mr. Chairman, thank you very much.

I appreciate the invitation to participate in these hearings before the Senate Caucus on International Narcotics Control and the Subcommittee on Federal Spending, Budget and Accounting regarding the problem of illicit trafficking of drugs in Florida.

I have presented testimony regarding this subject several times in the recent past, and many of my thoughts and concerns are currently in the record.

Saturday when I spoke to the Congressional delegation I said I was preaching to the choir, that obviously you gentlemen know as much about the drug situation as anyone in the United States and are very knowledgeable in that area. However, I will continue to preach to the choir in the hope that some of the message will get beyond the choir to the public.

I feel that there's too much public apathy in this regard and I am very concerned about the fact there is not enough of an outrage coming from the grass roots area of our country regarding the drug problem.

When I left their Congressional meeting on Saturday morning I overheard one of the participants say something to the effect that

[1] See p. 64 for Mr. Dempsey's prepared statement.

the speeches were redundant, they've heard the same message over and over again. Well, in the interest of keeping this fight going I'll be as redundant as I have to be to get the message across; and I appreciate your bearing with me so I can get these remarks into the record.

In Florida, arrests for drug sale and possession increased in 1986 with cocaine availability and use being the main factor. The arrests for cocaine in 1986 increased by 50.5 percent with 28,629 arrests being made. In addition, marijuana arrests increased by 41.5 percent with 23,538 arrests being made.

In all, 56,720 drug arrests were made during 1986, an increase of 28.4 percent; so you can see the law enforcement agencies are doing a job in the operational levels.

Also, cocaine overdose deaths have almost doubled in Florida. From January 1 through June 30, 1986, 60 cocaine deaths were reported by District Medical Examiners' Offices. However, from July 1 to December 31 of the same year the number of deaths had increased to an additional 116, bringing the death total due to cocaine overdose in Florida to 176 for 1986.

I must stress this particular point. These numbers only reflect the cocaine overdose deaths and do not represent the cocaine contributed deaths which occur in traffic accidents or violent crime or the many other ways where it is not designated as the effect of use of cocaine on the citizens, of productivity and their ability to function.

The increase in drug usage, addiction and availability will continue dramatically in Florida. It will have a dramatic impact on the crime rate, which we've testified to before.

We had an increase last year in our crime rate of about 11.5 percent. In the last two years it's up about 28 percent in volume, all directly attributable to the drugs situation. Law enforcement experts have associated the increase in criminal activity with the drug problem. Many street crimes are committed either while the offender is under the influence of drugs or to support an offender's drug habit. In fact, law enforcement experts estimate that 50 to 60 percent of all crimes are related to drugs.

And when I talk about 50 to 60 percent increase in crimes in the State of Florida I'm not talking about drug offenses. I'm talking, as you know, about the seven most serious crimes in the Nation—murder, robbery, rape, aggravated assault, grand larceny, and burglary. These are the crimes that are perpetrated by drug users to support their drug habit.

Dade County, Florida, reported 90 percent of a recent sample of arrestees had drugs other than alcohol in their system at the time of arrest. During the first five months of 1986 in Dade County, motor——

Senator BIDEN. What percent?

Mr. DEMPSEY. 90 percent of arrestees had drugs in their system.

During the first five months of 1986 in Dade County, motor vehicle theft increased 23 percent, robbery increased 19 percent, and burglary increased 12 percent over the same period for 1985. Experts believe this astounding increase can be attributed to crack cocaine and other illicit drugs which motivate users to commit crimes to support their drug habit.

In addition, the Florida Department of Law Enforcement conducted a survey regarding the impact of crack cocaine in Florida with the assistance of the 67 County sheriffs and 300 police chiefs from throughout the state. This survey was conducted in July of 1986 and again in April 1987 as a followup. Both studies indicated that crack cocaine continues to be a significant problem to the citizens of Florida.

Efforts are under way to develop initiatives to attack both the supply and demand side of drug abuse and availability through coordinated law enforcement efforts, education and community involvement.

The drug problem in Florida has been well described and is well known. I have long viewed the problem as one in which the Federal Government has a direct and obligatory responsibility. I say this inasmuch as Florida's problem is so clearly related to a national demand for drugs and to its strategic location as a major drug import point into the United States. Acknowledging that demand reduction programs are the critical but long-range answer, my comments today relate to attacking the supply and distribution networks.

And I cannot make it forcible enough that we understand, we in law enforcement understand that the demand side is the answer to the drug problem in the United States.

I support what has been referred to in the press as the Drug Czar. This position would allow closer coordination of the Federal drug enforcement effort, eliminating barriers and turfism among agencies which at times exist even with the best of intentions.

We at the State and local levels have long known that this attack requires more than we alone can muster. The intensely alluring profit and the national/international movement defies our capabilities. Without a strong and coordinated Federal involvement we have no hope of overcoming the availability of illegal drugs.

And I'd like to draw an analogy to any war. You always have a Commander-in-Chief. We don't seem to have a Commander-in-Chief dealing with the drugs situation in our Nation today.

The Coast Guard and Customs Service have been impressively active, and some military assistance has been evident. Programs such as NNBIS, Blue Lightning, and minimal military involvement have met with limited success, but much more is needed. More drugs have hit our shores and streets than ever before.

I am frustrated when I regularly see drug-laden vessels and aircraft infiltrating our State undetected. I am frustrated when I perceive the restricted employment at best, and in actuality a reluctance, on the part of increased military detection capability in this area of effort.

And I must clarify and remark the Coast Guard and to some extent the Navy have been outstanding in the work they have been performing in the interdiction effort.

Gentlemen, many people have referred to the drug issue as being a war. However, a war requires a national commitment, and thus far none has been made. Real military assistance is needed and is necessary. Appropriate funding commitments to the major interdiction agencies cannot be diluted.

More multi-agency operations must be engaged and more commitment of military support to interdiction efforts for protection of our shores must be made available. We have the technology, but lack the degree of commitment to be successful.

We are not asking the military to make arrests or searches and seizures. I might repeat this. We are not asking the military to do a civilian law enforcement job. We are not asking them to neglect their obligation to national defense efforts. We are asking that their resources assist by greater coordination and support, particularly with interdiction agencies, in the detection process. This assistance could be provided during routine training exercises with minimal additional operational costs being required.

A point on national defense. What greater threat do we face than the drug and the debilitating effect that it has had on our citizens and our society?

Once drugs are in our country, the resources required to deal with the street crime and other human deprivation far exceed the budget required for pre-border eradication and interdiction efforts. An increase in interdiction agencies' and military involvement at this level I believe will represent an avoidance of many more dollars which will be spent once the drugs are on our streets. The law enforcement and numerous social service resources which are responsible for many important areas, but which are now disproportionately directed to the area of drug and drug-caused problems, can then be redirected to address other critical problems raising our citizens.

The 1986 Anti-Drug Abuse Bill, which I certainly applaud, was a step in the right direction toward providing assistance to both state and local governments to combat the growing drug abuse problem. However, this effort needs to continue without the threat of loss of future funding. Drug interdiction is a long-term issue, and a long-term commitment must be made by Federal, state and local governments.

Florida has become the cocaine distribution center of the United States, with 72 percent of the total U.S. cocaine seizures being made with the State. However, of the $225 million to be distributed nationwide for criminal justice programs, only $7.5 million were allotted for use within Florida from the Anti-Drug Abuse Bill.

We must remember that the Florida drug problem becomes the Nations's drug problem. The funding needs to be distributed in relation to the problem encountered State by State.

Parenthetically, last year as a result of a survey study we did for the Governor's Cabinet, Florida spent $326 million for drugs. We sent copies of that study to you, I believe. If you don't have it, if you want we'll be happy to provide it to you.

Currently in Florida the drug war continues. Federal, State, and local agencies are working together on a daily basis to combat drug smuggling. Futhermore, the law enforcement sector works with community representatives such as educators, clergymen, civic groups, et cetera, in an effort to inform the public or the dangers of drug abuse as well as solicit their assistance in dealing with this serious issue.

Many long-term investigations are underway to attack the complex nature of drug smuggling groups with numerous successful

cases being achieved. Also several marine and air interdiction projects have been implemented with the assistance of Federal, State, and local law enforcement agencies. These interdiction efforts will continue as new innovative approaches can be developed.

The Florida Department of Law Enforcement has implemented the integrated approach to combat organized crime program to impact major narcotics importation groups. This program uses a multifaceted approach involving the enforcement, regulatory, civil and prosecutorial communities together in an effort to disrupt and dismantle major organized criminal groups. This approach has been in the past and continues to be effective in Florida.

Communication among law enforcement agencies continues to improve with many drug task force operations underway with many more expected. The information being generated through such investigations is being shared by local agencies for use in ongoing investigations as well as future endeavors statewide.

Problems associated with drug abuse are a nationwide problem. Federal, State, and local governments must continue to work together. By means of special funding, better communications and to total commitment made by all, we will be better able to combat this problem.

I thank you very much, Senators. And as a final closing remark this ties in with my observation regarding public apathy. This room should be filled with people. This room should be jammed to the rafters with people concerned about the drug situation; and I look around and I see a handful of very interested people who are here, but the attention of the public to this issue which is so serious is completely inadequate.

And I commend you for bringing this to their attention by your efforts.

Senator BIDEN. Thank you very much.

Miss Reno, would you go next? And to the extent that you can summarize your statements so we can have questions, that should be useful, please.

TESTIMONY OF JANET RENO, STATE ATTORNEY OF DADE COUNTY [1]

Ms. RENO. Thank you.

I think this studied reaction to crisis, that's all I've seen from the Federal Government in the last seven years.

In May 1982, five years ago, the Dade County Grand Jury, with the assistance of Federal authorities, here did a major study on immigration and narcotics. It was just after the Bush Task Force came here. And it pointed out that prior to the added resources provided by the Bush Task Force it was stated by Federal authorities who testified that only about 15 percent of narcotics was interdicted.

That estimate has now increased to better than 25 percent due to Task Force efforts.

And now here is the most important line. The Federal authorities have estimated that a 75 percent interdiction rate will be re-

[1] See p. 70 for Ms. Reno's prepared statement.

quired before drug smuggling becomes economically unfeasible to the suppliers. The same authorities indicated that a 75 percent interdiction rate would require a commitment of resources that is absolutely not achievable due to the cost that would be involved in undertaking such an effort.

Based with Federal officials saying that the Federal Government, according to Congressman Pepper in a Committee meeting here about a year-and-a-half ago announced that over $1 million had been spent by the Federal Government for the interdiction effort, and yet you have heard about the decrease in the street price of cocaine today. I think this fact alone I would counter what Commissioner Dempsey says.

I'm not sure that you can do the interdiction, but at least we should have some hard answers to whether we can or we can't. And if we can spend a million dollars better in treatment, in education, prevention, for more U.S. attorneys to go after key figures here, we should have those answers.

But we don't have the answers from the Federal Government. Mr. Kelner can tell you what he's doing, and he's doing a superb job. At least he is doing something.

But in terms of Federal reduction in terms of a balanced opposed approach there is nothing, and I don't think the Federal authorities have the answers to this type of problem.

I would disagree with Commissioner Dempsey in terms of citizens' apathy. There is a Dade County Grand Jury report in December 1986 where 18 citizens were so concerned that they spent nights, they were out on the streets in drug raids; they went to treatment programs; and this is considered by me a very balanced approach. I think this speaks out. I think just as the Grand Jury that predominantly selected the speakers, we have to do an interdiction program in the public housing projects.

We sent questionnaires to the residents of those public housing projects, low-income people that you think maybe are pathetic. The number one issue is drugs. What I think we have is not citizen apathy but citizen hopelessness, because they cannot see the response to this critical problem.

The Dade County Grand Jury reported that in this past year 64 percent of Florida's homicides are drug or alcohol related. Sixty percent of high school seniors in Florida tried an illicit drug. This I find a startling figure. A study done by the Grand Jury in conjunction with the Medical Examiner's Office. In Dade County between May 1 and September 15, 1986, 25 percent of all deaths due to other than natural causes were caused by or related to cocaine.

The same Grand Jury did a study with the pretrial releases program. Ninety percent of a recent sample of arrestees in Dade County—and these were volunteers—had drugs other than alcohol in their system at the time of arrest.

It's not citizen apathy. It is citizen hopelessness.

The first thing I would suggest you do is stop using the word Czar. The Americans don't like the word Czar. Come up with a good solid title that we all can rely on. I think we all feel it's necessary.

Senator BIDEN. I think I got one for you.

Ms. RENO. Good. Abolish "Czar" from your vocabulary.

Senator BIDEN. The press dubbed it Czar, but that's——

Ms. RENO. And you repeated it. You shouldn't.

Senator BIDEN. That's true. You're right. Why don't you come work for me? [Laughter.] Put you in the position of Vice-President. But go ahead.

Ms. RENO. But the Drugs Coordinator has to be able to coordinate more than just the various branches of law enforcement. He must figure out how to spend a million dollars better in treatment. We've got to have a long-range plan or we're never going to win on the year-to-year reaction it takes.

Senator, I understand your good remarks about bipartisanship; but you've got to do a lot to achieve not just the words but the reality of bipartisanship. In a strong sense this whole drug issue has politicized and it is up to you people that have anything to do about it to depoliticize it in terms of Federal, State cooperation in terms of law enforcement.

I couldn't ask for better cooperation between the United States attorney and my office. He has undertaken a major prosecution, took it from us. Across the State our prosecutors are fighting battles because we have been having terrible problems with the Florida discovery rule. Mr. Kellner and Federal agencies here have just superb cooperation with us.

Senator Graham, I'll tell you that in private and in public in the most grateful way I know how. They have just been great.

But the problem is that there is no mechanism really in terms of resources for addressing the issue. Someone did a study once with the LEAA monies; and it seems to me that law enforcement monies are very much like the LEAA monies. You all passed these bills, propose that it took $7 out of my pocket here in Dade County, my taxpayers' pocket, to go to Washington to process the Federal grants to go through the whole procedure to get a dollar back here to Dade County for actual meaningful help.

Your drug Czar may need or should know the answers to this so he should do everything to minimize this depletion in dollars in terms of these Federal grants.

Mr. Kellner called me and said, "You better get a copy of the Federal Register because you will need it to get some of the money."

So I looked through the register. Here's something entitled Enemy Community Drug Enforcement and Prosecution Program. So I start reading to see how I can apply for a grant. Well, I can't apply. Some field based organization has to come up with something; then they have to design workshops.

Workshops? We have all the workshops we've needed for the last five years. We don't need workshops. We need dollars for resources, for prosecutors, for prisons, for treatment programs. Not any more workshops, particularly in the Federal Government.

What we need are consistent dollars.

We then called a Mr. Jay Mark to find out what we could possibly do. Were there any monies available for prosecution, and they said "well, we're reviewing the eligibility requirement and we don't know quite what we're doing yet and we're probably going to expand the grant."

That's no way to channel resources into the fight against drugs. There should be a clear Federal agency that deals with such contributions and that process should be in place.

But the most critical problem of all is in terms of agreement. Last November we had a man come up to a police officer and say "Buddy, I'm a cocaine addict. Arrest me. Take me to jail for help."

And the policeman said "You haven't committed a crime. Go to a treatment program."

He replied "I can't get into any, I don't have any money."

The police officer told him he couldn't help; whereupon he picked up a curbstone and threw it through the windshield of the police officer's vehicle and said "Is that enough to take me to jail so I can get some help?"

The tragedy is there are no treatment programs in our jails in Florida. If the Federal Government does nothing else it has got to see that this Nation develops a system for delivering substance abuse treatment; and the first recommendation I make to you is don't let any medical school in this country get a dollar of Federal grants until it establishes course work on substance abuse programs, how to treat it.

Finally, another of our problems here that you can directly deal with are aliens. I think anybody who is here at the grace of the Federal Government, a legal alien or illegal alien, if they commit a crime, at least they commit any crime in Florida, they should be the burden of the Federal Government.

I think you should pass a law saying if you commit a crime against the State system, that that immediately becomes a Federal crime if you're in that status.

Mr. Kellner doesn't know whether that's legal. Let's at least have the answer whether it is or it isn't. If it's not legal based on status, then at least make the Federal Government responsible for pretrial detention of these people who are overcrowding our jails and overcrowding our prisons.

It makes me mad to see that Judge sit over there each day, that Federal Judge telling State authorities what to do, when the large percentage of the people in the local jail, in the State prison, are either aliens, illegal aliens and they should be the responsibility of the Federal Government; and you can provide direct aid without a lot of burdening programs involved.

Thank you.

Senator BIDEN. Thank you.

Mr. Hogan.

TESTIMONY OF JOHN HOGAN, STATEWIDE PROSECUTOR

Mr. HOGAN. I would like to thank you for this opportunity to address you.

By way of introduction, Senators, I was appointed Statewide Prosecutor in February. Before that I was a prosecutor in Miss Reno's office for eight years, the last two years of which I served with the Felony Division.

Both from my experience in Dade County and more recently as Statewide Prosecutor, certain things have become very clear.

Senator BIDEN. For the record, explain what a Statewide Prosecutor's duties are.

Mr. HOGAN. Fair enough. Until recently, law enforcement at the State level in Florida was divided around 20 State Attorneys, each with a district. The problem was, organized crime didn't necessarily work just in one district. They had the audacity to move from location to location.

Therefore, as of last November the voters amended the State Constitution to create one prosecutor, one prosecutor's office that would have jurisdiction over all organized crime cases that impact on more than one judicial circuit.

Senator BIDEN. Only organized crime cases?

Mr. HOGAN. Yes. There's different aspects of organized crime.

It's my opinion when you look at the organized crime problem in the State of Florida, narcotics is at the top of the list; and it's my intention to use the facilities of my office to target major trafficking organizations because obviously that is an organized crime and certainly impacts on more than one section of the State. In fact, it impacts clearly on the whole country, although we here in Florida have been left alone fighting the Nation's drug war.

Obviously drugs affect the quality of life in all parts of our country. They move great quantities across our borders day and night. We look therefore to the Federal Government because it's a problem that one area, one State, can't solve on its own. Because of our geography obviously we are entry points for the majority of drugs.

As a State we have done our best to fight the problem. We've passed very stiff sentences for narcotics traffickers. The result has been that to the extent that we have had success we now find ourselves with overcrowded jails housing more and more international drug traffickers serving mandatory sentences.

We are forced to release some other inmates early while we continue to pay the tab for the rest of the country because we must incarcerate a disproportionate share of the Nation's drug smugglers.

Florida has also reacted by increasing funding for prosecutors and local law enforcement efforts, but obviously a great deal more is necessary. Not only does the situation drain Florida's financial resources but it also drains our human resource. Since so much of the Nation's cocaine supply passes through Dade County, cocaine is cheaper and therefore more accessible than in the rest of the Nation.

It is cheaper for high school kids to buy crack than it is to buy a six-pack of beer.

This impacts on an entire generation and tears at the very fabric of our society. Completing the circle, the human impact leads us back to the financial impact, in light of the increased need for drug treatment facilities.

In essence, Florida has found itself in a situation in which, because of the quirks of geography, it has had to cope on its own with the curse of a nation.

Florida cannot and should not be forced to wage the war on drugs alone; a coordinated effort by all levels of government is necessary.

In the past, Federal-State cooperation has been uneven in Florida. In some places Federal and State law enforcement agencies work well together. In other places they do not. While individual personalities obviously have something to do with the success rate, there are other factors that play a major role.

Here in South Florida, the level of cooperation has been excellent. The Dade State Attorney's Office and the United States Attorney's Office of the Southern District have worked exceptionally well together. The success in large part is attributed to the individuals involved, Janet Reno and Leon Kellner.

But there are other things. One is a realization that Florida's discovery rules, public records law and appellate decisions make proactive narcotics investigations almost impossible. It's also impossible to try to bring to trial within a reasonable period of time.

There's various investigations that have been done jointly and then prosecuted in Federal Court. This should be continued and expanded upon.

There are other places where cooperation has not worked as well in our state and improvements are needed. Hopefully, my new office will be able to help in this area because my jurisdiction overlaps all 20 State Attorneys and all three U.S. Attorneys. Hopefully I'll be able to increase the flow of information and I think therefore trust and thus improve cooperation.

I'm not naive. I don't think my new office is a panacea for all the State's problems. We still have a long way to go. I think future cooperation depends on many things, the most important of which is funding to the Federal attorneys. Their funding must be sufficient that they are going to be able to continue to prosecute things that might under other circumstances be a state concern.

In 1975 when I was in law school I watched my first criminal trial from start to finish. The prosecutor, who even back then was one of the most experienced in the U.S. Attorney's Office, here did a superb job.

He's still there prosecuting. According to the Miami Herald recently, his salary is in the high $60,000 range. I find that is a disgrace.

Here in Dade County, the County Attorney's Office pays its top zoning lawyers over $100,000. Public Sector lawyers make a lot more.

The fact that we're paying our top Federal prosecutors with years and years of experience considerably less I think is a misallocation of priorities when it comes to public sector lawyers. Obviously State lawyers are also underpaid, but I think that is a glaring problem.

Senator BIDEN. Welcome to the Federal Government. [Laughter.]

Mr. HOGAN. The problem is, it's just a question of time before we lose these people. You can only traffic upon someone's education for so long and then they're going to move out, especially when you realize that these same people, besides being underpaid, have case loads that are outrageously staggering and each one is up against a defense attorney who has unlimited resources. It just isn't a fair trial.

The Federal Government must assume responsibility for staffing these offices directly. They also should assume responsibilities in

other areas. Florida should not have to cope with incarcerating international smugglers without assistance. Many of these illegal aliens present significant escape risks and security must be heavy. We must have help. The Federal Government must recognize its financial responsibilities with regard to the law enforcement across the country, in Florida and any other state that is forced to bear a disproportionate share of the costs of the war against drugs.

Just as no State has to bear the burden by itself when it is devastated by a flood or a volcano, no State should have to deal alone with the devastation of drugs.

As I have mentioned, additional money is needed for Federal prosecutors in Florida. The Federal Government should also supplement Florida's local law enforcement effort as well.

Money is also needed for education and treatment since a long-term solution to the problem must also deal with the human aspects of the problem.

Obviously, projects have to be prioritized and therefore the idea of one person coordinating the national drug effort I think would be welcome. It would be welcome not only as fair to higher productivity but also responsibility so we can look to one person and make them accountable for what we're doing with our money and what we're doing with our resources.

I also think it would have been symbolic as well as focusing the interest of the nation on the problem.

The key, however, is we all must work together and we need your help.

Thank you.

Senator BIDEN. Thank you, Mr. Hogan.

Mr. Taylor.

TESTIMONY OF FRED TAYLOR, DIRECTOR, METRO-DADE POLICE DEPARTMENT

Mr. TAYLOR. Thank you, Senator. We here in Dade are glad to be last. The best thing about being last is I think that most of the things that are in my statement [1] have been said, so I'll be brief. I did want to touch on two things though.

One, the Anti-Drug Abuse Act of 1986 is beginning to trickle down funds now. As far as I'm concerned we are very disappointed. The way they split up the grants, I think the most we could apply for is $400,000. The smallest amount that we could come up with in Metro-Dade was $900,000, and that's with an in-kind matching on our part of over $2 million.

We don't think $400,000 would be enough for us to do much with. Maybe some of the smaller cities around the country could do that; but really, for a department of my size, it is not a lot of money.

Second, I have to talk about the arrangement that we work in Dade County with the Federal agencies, we work with State agencies and we work with Task Forces.

I did want to touch on one case that occurred last week with us and DEA, where we arrested a subject we believe was not only the

[1] See p. 76.

main supplier in the black communities of Dade County but really was a wholesaler throughout the country.

And why I wanted to bring that up is this man has many millions of dollars of assets, and I think you'll hear from the U.S. Attorney here later today. We're going to have those assets; and I think that will be a big, big factor to deterrent, if we can do that.

Last thing that I'd like to say, I can't speak to you how Federal agencies deal with each other, but I think the point is, if there's a need for task forces all the time, that maybe point us in the direction that maybe we do need the central authority and someone who can formulate policy and make all the agencies work together; and I have to form those kind of task forces too from time to time.

I think the rest is in my statement and I'll let that stand.

Thank you very much.

Senator BIDEN. Thank you very much.

And I will be very brief, and I want to make sure everybody gets a chance to question Miss Reno. I was impressed by your testimony, as I was everyone's.

But I'd like to specifically speak to a couple things you raised in your statement.

Six years ago when I wrote the so-called cabinet level drug coordinator legislation and it passed the first time, we did have a serious problem and that is we had agencies fighting over the credit, fighting over who was to get credit. We had agencies who did not talk to one another.

I recall back then under—I'm not being solicitous but I'm sitting by this man, Senator Chiles. We go the Army and the military, who refused to acknowledge they had any possible role in any of this. The CIA would not talk to the DEA. The DEA had trouble getting information in the NSC, and so forth.

I think a lot of that has gotten better, but I still am concerned. I want to make sure you and I are on the same wavelength; correct me if I'm wrong.

My concern is that there is still no place where you can go in the Federal Government and one person, as in the State Department regarding foreign policy, as in the Defense Department regarding the Secretary of Defense, as in Department of Transportation, through the Secretary of Transportation, where you can go and find out what are the priorities in the Federal "war on drugs."

And there is no one place where one person can allocate resources. It's a very difficult problem, to be able to tell the Secretary of the Treasury that in fact you want 12 or 15 or 20 personnel who are particularly in depth to the area of money laundering, following complicated bank transactions, or the Coast Guard or the customs or any other place.

And so my concern—and this is my question, is that notwithstanding the fact that I think Federal authorities are incredibly hard working—and I'm not being solicitous, I truly believe that women and men involved in this effort from the Coast Guard, Customs, U.S. Attorneys, are truly, truly dedicated.

And I think that the DEA—I happen to be a fan of DEA, although some individuals of the DEA I'm not so crazy about, as with I'm sure they are not so crazy about individuals in Congress. But my concern is there's no one place you can go pick up a document

like that and say "These are the priorities, and this is the person that calls the shots." That's what coordinating commands are looking for, some place where you can pick up the telephone, your office can call Washington and get an answer from a single agency, a single entity that can tell you whether or not your department qualifies for grants under a particular——

Ms. RENO. I'm not sure that you'll ever be able to do that. If you look at war, and I think back to General Marshall, if there could be a General Marshall coordinating the fight against drugs we'd be successful; but it's far more complicated than war, in effect, because you have education and prevention are part of this war, and you've got a treatment problem thrown in.

Not only would I like one place where I can go to get answers or at least direction—direction is probably a better word—but you've got State Department interests and other interests; but I would like somebody who has done extensive research and thought out what they are going to do.

Back in 1982, before a million dollars was spent, I would like to have had somebody who had clear answers recognize the clear facts that probably interdiction is cost-prohibitive. It's better to have a real impact and it would be better to spend it on treatment.

If not, let's try to get the answers, let's try to understand, let's develop research and a direction technology. Because even after you get past interdiction there's going to be someone in the hills of Tennessee here going to be coming up with some designer drug we have never heard of before. If they are coming up with crack so recently, I'm wondering whether——

Senator CHILES. Ms. Reno, you don't really think we're going to get the answer to all those problems without getting or at least trying to have some understanding of what works and what doesn't?

I mean where are you going to get a study that's going to tell you why you don't have any interdiction? How can you study that?

And there's no way you can say you're not going to try to do something on interdiction. You're probably right, we haven't studied it any nearly like we should.

Ms. RENO. Senator, not only at the Grand Jury level but in meetings with the Senators against crimes, which Judge Peter Faye was present and other people were present. We sat in a room; and Judge Faye said "You know, these are our borders. Can't you protect them?"

There reaches a point, and Federal people were turning around and saying "Judge, you can't do it, it will be cost-prohibitive."

I'm suggesting to you that there be a full and frank discussion of that before we spend a million dollars to fight drugs that have plagued mankind through all of history, but we've got to make sure our dollars are spent wisely, and I think there should have been——

Senator CHILES. Well, Ms. Reno, on the same figures, I hate to sit here and argue with you, you do such a tremendous job here with your department. But if you apply those same statistics on a successful prosecution of murder trials, more murders that are committed, that would tell you that you shouldn't try to make cases

against murderers, because there's no way you're going to keep that from happening.

Ms. RENO. Senator, you will be amazed that a year-and-a-half ago in a committee meeting in the Dade County Court House Congressman Rangel said exactly the same thing.

And my suggestion to you is that when I prosecute a murderer I put him off the streets, at least to a limited period of time, because we don't have enough jails in Florida.

And I can tell you that I have a impact on that person not doing further crimes.

I also tell you that we say something in Dade County where perhaps successful prosecution can make a difference. In 1980 the crime rate escalated beyond anybody's imagination. Different from what's happening now, because there was a tremendous increase in the murder rate. We threw every resource we could into it.

I needed more help in Tallahassee to get more resources. The Citizens Against Crime responded; the Legislature responded; additional policemen were added; the Metro Dade Homicide Department was beefed up. We got the homicide rate down, sir, and it's never been back to that level.

Senator BIDEN. Ms. Reno, you talk about the results of the previous study. The reason you had success also deals with population changes. The reason you did is every study that's ever been written anywhere in the whole wide world has indicated that there is an absolute direct correlation between the number of those between the age of 16 and 24 and to that extent——

Ms. RENO. Senator, excuse me for interrupting; but I must point out something before you get into that, because in 1980 this community absorbed over 100,000 people in less than six months. Of that, 10,000 people—most of those people—over 90 percent, according to the Grand Jury testimony—were law-abiding citizens; but Castro sent the dregs of his mental hospitals and prisons right into our community.

We prosecuted those people who committed murder and rape and robbery, got them sentenced to life imprisonment in many cases and we got them off the streets; and I think in this instance, Senator, you will see a precise response to a precise problem, thought out.

Senator BIDEN. I don't understand your point, other than bragging. I don't understand your point. Seriously. I'm not quite sure what——

Ms. RENO. Senator, my response was to Senator Chiles, who said if you prosecute you don't have any impact on murder.

I'm not bragging: I'm talking about Metro Dade homicide effective——

Senator BIDEN. I don't think that was his point.

I thought his point was that prosecution is warranted whether or not you are able to make the final judgment that by doing the prosecution you have impacted on the end result as the number of murders committed.

Ms. RENO. Senator, fine. This is exactly the same thing we went through. He never sent people here after we went round and round; I wish you were here. What he's trying to tell you gentle-

men is you put all your money into one basket and let's try to get a balanced enforcement and make——

Senator CHILES. Ms. Reno, that's the whole genesis of the last drug bill that we passed or the last enforcement bill we passed, the first time we recognized exactly what you're saying; and we went through to emphasize both treatment and education.

And that's the fight we are now having with the Administration, because they have cut 50 percent of those functions, education funds and treatment funds, and we're singing out of the same hymn book there. We agreed with it a hundred percent, we have got to do enforcement, education, and treatment.

I don't think that that means that you can say we're not doing the work of enforcement. You can't say that just because we can't get the 75 percent rate we should stop our trying to interdict. I don't think there's any way you can do that, no matter what kind of success that you make. I think you still have to go out there and attempt interdiction.

Senator BIDEN. Are you suggesting we should not spend to interdict? I'm confused.

Ms. RENO. I am suggesting as strongly as I know how that you have some answers.

I have heard some Federal authorities say that it is not cost effective to interdict.

Senator BIDEN. You're right, you're right. I'm asking you. Do you believe—and you've cited a study, you have cited the statement——

Ms. RENO. All I suggested to you at the outset was the Federal Government doesn't have answers.

Senator Chiles says maybe we can't get the answers. I think you can get far more precise answers.

One of the problems, gentlemen—I'm not criticizing any one of you; I think you have done brilliant, wonderful jobs. I think all of you are great United States Senators and you want to know and you are doing a great job.

The problem is, that the Administration and Congress have not brought about the fight against drugs in precise clear way. We've gone hither and thither. Maybe your response may be "we're trying to get the Administation to do that."

I don't want to point fingers at the Administration or Congress. All I want the Federal Government to do is to say "okay, this is what interdiction is going to produce. If we spend a billion dollars here, this will be the impact. if we spend a billion dollars in treatment and use it there, we think we can get more bang for our bucks."

Senator CHILES. When you speak of the Federal Government you're speaking as if it's an entity, as if it's one thing.

It's a bowl of Jello; and the heart of our problem is how we get it to work. I'll agree that probably the Federal authorities are most well-meaning and they were telling you their best information to say that interdiction could not be cost effective.

Under the way that it's going, absolutely.

But I'm not convinced, I'm not convinced if you had a direction, if you had a Federal Government that wanted to mobilize and use its military force in training exercises and they were going to monitor every plane that came through this area, they were going to

track every mother ship, that they were going to do these things, that we wouldn't have that interdiction.

Now, a study won't tell us whether—a study might tell you what could happen, but how do you get from the President of the United States to the Chairman of the Joint Chiefs of Staff to the Secretary of Defense who will give you that kind of cooperation, that kind of help?

Ms. RENO. Let me give an example. I was very impressed with Michael yesterday morning. That's your job, not mine, as to how to get the Federal Government to work, really.

But I was real impressed at the whole presentation made and hearings that are coming up on Iranscam and the fact that Senator—the Hawaiian Senator working with his counterpart and the very bipartisanship of that approach. I thought that was superb, and I thought to myself if I can see this same type of approach in the terms of drugs, maybe that would be good.

I love this Senator, but I got mad at him after awhile, after he spent over more than three hours over who didn't work on drugs. I thought I wish we could get off the political issue about drugs.

I'm not blaming the United States Senate, but for once I just want the politics out.

It is a bowl of Jello; it's a matter of indifferent government. We have shown time and again we can win it and you all have done so much for us, I'm not criticizing you at all. I'm trying to tell Congressman Rangel.

Senator BIDEN. Can I ask you a question? Just a straight question.

What do you think, what studies do you think should or shouldn't be done? What do you think in your experience is the cost-effectiveness of dollars spent on interdiction? What is your opinion——

Ms. RENO. I don't think it's cost-effective.

Senator BIDEN. Since you don't, what do you think, assuming you came to the conclusion that we could not effectively interdict in anything remotely approaching cost-effectiveness, what would you do?

Would you, in fact, announce that you weren't going to be spending money on interdiction?

Ms. RENO. No. What I would do, Senator, if I were leading a Federal effort, is that I would get my military people in, I would get the Coast Guard in, I would understand whether it was cost-effective or not.

I've answered your question in terms of telling you what I know based on my limited knowledge. But I certainly don't have the command of the full resources of the United States military.

Senator BIDEN. I'm getting more philosophical.

Ms. RENO. I'm getting more philosophical. I'd set down a plan right before I went spending a lot of money. Then after I got a plan developed I'd like to try to make it work.

If it didn't work, I'd scrap it and start again.

Senator BIDEN. You're a lawyer, I'm a lawyer. When you were an undergraduate in graduate school you learned the Jerome Frank's notion of the judicial mind, the need for there to be a conviction that Justice, in fact, could be enhanced and distributed; and if, in

fact, it was ever pointed out that—remember, we talked about gastronomic jurisprudence and how Judges are human and they went into courtrooms with their prejudices in tow, but if that were, in fact, the view held by all people, the only thing that Judges have to maintain order in their courtrooms and respect for decisions is the notion that they are infallible.

Now if, in fact, you reach the point where we conclude, as a government, you can't effectively interdict, do you say that we are not going to interdict? That's my only question.

Ms. RENO. No. What you do is if the Coast Guard sees something that looks like a drug boat, you go get him.

But if you are talking about adding billions of dollars for Fat Alberts and radar planes and everything else and it might be more cost-efficient to spend someplace else than interdiction, you do it.

Senator BIDEN. I would yield to that comment.

We had a thing called the National Institute of Justice that some of us tried to get funded for, back when we rewrote the Criminal Code back in the beginning of the 1980s. And it eventually came to fruition in 1984.

And with that, not only were a lot more tools placed in the hands of Federal prosecuting attorneys than they had before that, including the changes in the forfeiture law and other things, but with that was a requirement request that there be a prioritization by a group of leading Federal authorities like the National Academy of Sciences to do exactly what you're suggesting. Not just on drugs; everything from rehabilitation to Christmas.

When you're talking about building prisons, you're talking about the least cost-effective use of the dollars. If you're going to put it on a cost-effective basis, it costs more to put a person in prison than send your child to Florida University on a State average; so that's not a very cost-effective way to deal with the problem, but it's a necessary requirement.

Having said that, there has been an attempt to do exactly what you are suggesting. There is strong disagreement. Unfortunately, it tends to break down along party lines on occasion as to whether or not we should have some one place, one person, one organization, prioritizing, initiating studies, deciding what we're going to in fact focus on, whether it's a question of usefulness of interdiction or otherwise.

Having said that, my point is this: That we are learning as we go.

There was a consensus among "the experts" all through the late 1970s and early 1980s that interdiction was the answer. Not only in the United States. It was the concensus among international agencies that it was the answer.

It turns out that it is not the answer, and it may be not cost-effective. That's why Senator Chiles wrote the bill that he wrote, that in fact emphasized under the new legislation the need for treatment and education. That is what's being done.

Ms. RENO. So what is emphasized here? On Saturday morning, Senator, you were not present, but what was emphasized was the Customs interdiction and by fast boats and things like that, not treatment.

Senator BIDEN. Well, you're right, I wasn't here.

I yield to my colleague.

Senator GRAHAM. Mr. Chairman, let me see if I can ask Miss Reno if I'm interpreting what I think part of her frustration is.

If General Eisenhower, in planning for the invasion of Normandy, had come to the conclusion that it was going to take a million troops and 100,000 tanks and whatever units were necessary in order to successfully establish our beachhead on Normandy, and the Office of Management and Budget had come back and said "I'm sorry, General, but you can only have 300,000 troops and 10,000 tanks," the General would then have been in the tough position of saying "Is it worth the effort for 300,000 men and 10,000 tanks? I don't think we're going to be able to successfully accomplish our mission. We will end up losing 10,000 troops and 10,000 tanks back in the English Channel, not on the continent."

Is that possibly analogous to your concern that we've not assessed what increment of effort is going to be required to accomplish the reasonable objective and made——

Ms. RENO. Almost. But if you added to that if General Eisenhower had been bullheaded and listed his options and planned for the invasion of Normandy without any real indication of what the impact was going to be, and if all these people were telling him you're not going to get past the bridgehead and there's no way this is going to be done and it was poorly planned, what I would have preferred to have seen in this situation—and obviously the answer was he did it right—was plan out all the consequences, realize the cost that was going to be involved, realize that in terms of human life and everything we were going to have to pay dearly but this is the best way we can beat Hitler.

But if it wasn't, and he poorly planned, we might go in at another point on the European continent and do it better with a different employment of forces. Just trying to reach those answers.

And the other thing, and it goes, you share in my frustrations. You sit there and look at me as I told you how everything was falling to pieces and would you say "yes, but the Federal Government is cutting all these funds." And that's the thing I'd like to get for Congress to be looking at too.

We have depleted so much of what's being done to the State that the States have had to pick up more and more, and we see it here. But that's things out in terms of education, prevention and treatment and early intervention, just what impact the Federal dollars have had on states in a long-range view, to make sure that we're giving the states what's needed in terms of treatment dollars.

Mr. TAYLOR. Senator Graham, if I can make one point that we know in law enforcement that what we're doing is holding the line.

Somewhere down the road is an answer to a drug-free generation, treatment, those kinds of things; but please, at this one point in time when we go out and make arrests on the streets we realize there's no jail space, we know they're not going to get a lot of time; but we have got to hold the line until the time when we can freely deal with the problem. This is what we're doing with interdiction, holding the line. We'd better do it as good as we can.

I think your bill is good one.

Mr. DEMPSEY. Senator, if I may comment just a moment, please.

I'm very concerned about the comment of the concept of cost-effectiveness. I don't know how you put a dollar price on human life. I'm concerned that we have to look at each of these programs in terms of dollars and cents result rather than human suffering and human deprivation that occurs because we are not successful.

I don't think we should be talking about interdiction is not a way to go. We need to maintain an even across-the-board plan. We need to keep that effort at every level; at eradication, at interdiction, at the high-level drug smuggler or the street organization, at the treatment center level, at every level.

We need to have the eight-point plan that we developed some years ago carried out across the board, and while we're doing that it is having an effect. If it weren't working in place I wonder how badly off we would be.

We need to keep paying attention to while we're creating a grand plan as Miss Reno is suggesting, to really do a more effective job; but we can't abdicate any areas we are working on. We must do our best in every possible area of activity.

One thing we must keep in mind; and the one thing is, obviously the dollars should be spent as wisely and effectively as possible but I cannot see retreating from any of the programs that we have been involved in because it's not cost effective.

Senator BIDEN. General, let me ask you a question about forfeiture if I may.

As you know, we have been trying to amend the Federal forfeiture status as to any surplus funds of a Federal law enforcement agency so sharing with the State and local agencies in fact is taken care of, including relative aspects of the drug abuse area.

One of my proposals is to have it available for education, prevention and treatment.

Now, I understand that you've indicated under Florida law the proceeds of forfeiture go back to the State's general revenue funds. Is that correct?

Ms. BUTTERWORTH. On the State level it is, yes, Senator.

But the local such as sheriff or local police agency, if they make the arrest and forfeiture, actually they receive that money to go into a law enforcement trust fund for that particular agency and the money can then be used by any city or county but only for law enforcement projects.

But on the statewide level the money does go into the State Treasury and you would have to go back to our legislature to get the money back out again for law enforcement purposes.

Senator BIDEN. Now, if you are part of the process and there is a seizure and there's forfeiture dollars available, that after the Federal Government—"gets its share," what's left goes to the State. Would the State say that forfeiture money be required to go to the Florida general fund?

Ms. BUTTERWORTH. If you can give the money to agencies, we can get it to the agency; but right now I don't know the State procedure.

Senator BIDEN. I just wondered how it works.

I'm sorry?

Ms. RENO. It can go to the local.

Senator BIDEN. It can go to the local?

Ms. BUTTERWORTH. It can go to the local.

Senator BIDEN. Do any of you ever have any approximate dollar value of forfeited assets that have been obtained in Dade County or throughout the State of Florida?

Mr. TAYLOR. I can't give you a guess that at this point in time; but between 1980 and today there's been about $10 million that we in Dade County have used, and we've enhanced our labs and war against drugs. We do lengthy investigations of those kinds of things.

But it's been $9 or $10 million that we've used in the war against drugs here in Dade County from those funds; but that's on a State basis.

On the Federal basis we're just beginning to get those funds, and it's my understanding that they can only be used for law enforcement purposes.

Senator BIDEN. That was our intention initially. But I'd like to broaden that.

Here's my question. And you may want to put this in writing so that you can reply at a later date; give you a change to think about this if you don't have an answer now.

And that is that I happen to think we should be allowing those funds to be used for education and prevention.

Senator CHILES. But I think you ought to point out you are also taking the cap off.

Senator BIDEN. That's right.

Senator CHILES. You don't ask the law enforcement people where they ought to be giving up some funds that they might get. I think when you take the cap off we're talking about a bigger pot.

Senator BIDEN. Correct, correct.

Maybe what we should do is let me ask you if you will—and each of you I'll send you a copy of the proposal. I'd ask you to comment.

Senator CHILES. I'd like to hear comments from them on the package of immigration-related bills that I've introduced; but I won't take your time now because I know we are running late; but I wish you would look at the mandatory detention bill making it a felony for re-entry into the United States and making it a felony to fail to appear at an immigration hearing; and also one for aiding an alien, illegal alien, to come back into the United States.

I'd like to submit those to you and get your comments.

Senator GRAHAM. This is an area I would like to also ask if someone would volunteer to supplement the record, and that is it's very shocking to hear statistics about 90 percent of the arrestees in Dade County showing nonalcohol drug in their system at the time of arrest.

I've heard high figures about th level of drugs involved in other forms of criminal activity, but that's a new standard.

Ms. RENO. Senator, this is in the Grand Jury report that I believe you have a copy of. It was done by our office to the Grand Jury on the pretrial release at the Dade County jail. It was done on a voluntary basis, which makes it all the more interesting.

And it's probably not as intensive as Manhattan or Washington figures, but it does report the statistics in Dade County from a study done a year-and-a-half, two years ago.

Every one of my prosecutors, both juvenile level and adult level, are seeing the terrible impact of crack. It is totally pervasive.

Senator GRAHAM. Mr. Chairman, would it be acceptable to Miss Reno to submit that Grand Jury report for the record?

Senator BIDEN. Without objection, it will be submitted.[1]

Senator GRAHAM. Mr. Dempsey, you made as one of your recommendations the increased use of military for protection; and I would like you to submit a written recommendation on how you propose to use the military and how to specifically increase the military activity.

It would be helpful.

Ms. DEMPSEY. Yes, I'll be glad to, Senator.

You know, I have been on that now for a long period of time. I don't feel that the Defense Department ever made a committment to the drug war. I don't believe they felt it was in their sphere of activity

As I said before, the Coast Guard makes very little effort and parts of the Federal military to get involved in this. I think the key element, key ingredient that Federal military could bring to help here is intelligence and information sharing with Federal agencies and State and local law enforcement agencies.

We have—and I don't want to get into military secrets—but we supposedly have a radar network to protect our borders and our shores against invasion. I think as far as I'm concerned that radar network is completely ineffective when I see the impunity with which aircraft and vessels come into the country with drugs.

I know there are vast areas in which unless they fly above a certain altitude and at certain speed, the military only points our radar network the other way, is not interested.

Now, I think they have a capability of looking at those low-flying slow-flying aircraft which are the drug people and alerting local law enforcement and other local authorities of their imminent arrival in the United States.

I don't really believe that all this talk about AWACS and all the other good things that we have heard the military has in place and how many hours they fly have been effective. I have yet to hear of a drug interdiction activity resulting from some work by Federal military, again except for the Coast Guard and the Navy. And I really feel that they have to make a serious commitment.

Now, we constantly hear this idea that well, we must hold ourselves in a state of readiness for our primary mission, and that is the defense of the United States. Well, we are being jeoparidized more by drug problems that's coming into our country and the thousands of lives we are losing every year, perhaps hundreds of thousands, being destroyed, than we are in any imminent danger of getting into any shooting war that I can see.

While a mass of Federal defense capabilities is there, it seems to me it could be put to good use in assisting law enforcement in providing intelligence.

I know we do in the State of Florida with the National Guard. We have had some exemplary programs with the Florida National

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[1] The report referred to has been retained in the subcommittee files.

Guard in which we have set up some radar points as exercise training. We have had them do discreet surveillance for us at suspected air strips and they have done this as training exercises because that's the normal activity of the military and they were setting there, and there are many things of that kind that can be done by Federal military that does not include arrest for search and seizure.

So then we'd see more impact in that regard.

Mr. BUTTERWORTH. Senator.

Senator BIDEN. Yes.

Mr. BUTTERWORTH. I think that probably—see, here most of us that have been involved in this drug battle over the past eight or ten years, we might be seeing it a little bit differently than other people in other parts of the country. We are very, very fortunate to have Senator Chiles and now Senator Graham in the Senate, and yourself as Chairman of the Judiciary, understand the problem.

But I think what we're facing is probably second. I don't think anyone faced up to five years ahead of where the Senate might want to be or where other States are or other people's thinking is at, and especially here in Dade County.

And in Southeast Florida our problems are much worse than they are in the center part of the State of Florida or the northern part of the State of Florida. The commitment must be completely—in fact, you have to have the implements to fight the drug battle and to win the war. But the $1 billion figure I hear, if that's occurred over the past five years, Commissioner Dempsey just advised us that in Florida the State, the counties or the locals each year or at least last year put in over $620 million in the drug fight, which is an international fight. We are probably outspending the Federal Government three, four, five to one, each and every year to fight that national problem.

As sheriff, I had a hard time telling my County Commission that 25 percent of my budget, my law enforcement budget, had to be spent basically on the high seas or dealing with drug interdiction at that level.

It's very frustrating. I think Federal cooperation here in the State of Florida has come a long way with the locals much more than it was even a few years ago. But when your Federal people come here this afternoon to speak, ask them how long have they been in service here in this area of the State.

We've been here for the past decade fighting the battle and working with it. You may very well find that the rotation of your Federal authorities are only once ever few years. They begin to get to understand the job, the battle it will be, and they start believing that the Bahamas are going to be cooperative.

Senators, I can tell you the Bahamas are not going to be cooperative without some very dramatic major change.

We were told years back Colombia is going to be cooperative. They may have become more cooperative now than they were eight years ago; but I can't help but think if actions you're taking now were taken eight years ago we would not have the particular problem that we have now that is totally, totally devastating. Ninety percent of people committing crimes in Dade County are on drugs

at the time they commit the crime. A like study in Broward County was over 80 percent.

The time is now to save the State of Florida.

Senators, I commend you for your time and your interest, but may I say those of us who have these real problems day to day all the time certainly hope you get it through and let's not wait another three, four, five years.

Senator BIDEN. General, I am impressed. My colleagues are accustomed to this because they represent the State and know you all personally well.

I have been involved in this now for fifteen years in the Senate and ten years in earnest. And I think you've made an impression. I come away from this panel with two very, very distinct feelings.

One, I now understand the relentlessness of Chiles a little bit better than I understood it before, in understanding this issue, because I sense that understandable and I think justifiable degree of frustration on the part of all of you.

It is a national problem, much of which has been dumped at your doorstep, and you have been asked to carry it all.

I believed at that time that the Mariel boatlift, which is unrelated, was a Federal problem. No reason why the State should have been responsible for that. If you will remember, I was one of the few who agreed that it was a national problem, and I think this is another example.

The second thing I'm coming away with is that there is a growing understanding, and appreciation for the need for a broader coordinated effort, not only in terms of getting the local and State officials and Federal officials to speak with one another but to coordinate the most essential elements of the program, and that is what roles does interdiction, prosecution, treatment, education; what are the respective priorities within those areas?

And I think that, Miss Reno, was the major thrust of your assertion.

We have had a tendency always in this country to put back in the days of LEAA more money in Dick Tracy watches than we did to put money into innovative projects that approached the problem.

So I come away from this panel with those two distinct feelings.

I can assure you that both of my colleagues keep attempting to educate the United States Senate on Florida's problems—and I don't say this to be solicitous; I say this very genuinely when I say that.

I think there's a growing awareness on the part of the public at large that this is a problem of immense proportions.

My concluding comment would be that I believe that the public is keenly aware of not only the pathetic but frustrated with the ability of government at any level to be able to deal with the problem that they believe is beyond their control.

When you take a poll and ask what is the thing you're most concerned about, they say drugs and crime.

What is the thing you most want the Federal Government to deal with in your State? Most people drop it down to number three, four, six or ten in the poll. I recollect them saying this is my greatest concern, but I don't think these folks are going to be able to take care of it for me.

And we are learning, and I can assure you that as one non-Floridian in the United States Senate that I will make ever effort to see to it that what I think is an unreasonable burden from your jails, through the cost that you are putting into the interdiction process is taken away.

And one of the things you're going to have to do in the new bill Senator Chiles and I authored is to figure out from an educational standpoint how you are going to usefully allocate them money once you get them at the State level so we don't have another one of these programs where we spend money for what we make a judgment, education is important, give the money to the states and then decide to set up, you know, during recess, films on treatment.

We are very tough in the bill as to what kind of standards and programs to have set up in the state in order to get money for education.

But thank you, and my colleagues on the board——

Senator CHILES. And that money has now increased from the Federal Government; but until the State gets the program in order, which it will have to do here in the legislature, until that's approved, that money will not be available.

Senator BIDEN. Thank you all very, very much. I appreciate your coming.

Our next witness is the United States Attorney, Mr. Kellner.

And I welcome you here.

TESTIMONY OF LEON B. KELLNER, U.S. ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA

Mr. KELLNER. Mr. Chairman and members of the Committee, what you heard from that panel is something that we talk about all the time. I have been here in the law enforcement effort since 1982, and it impacts all of us. And trying to find a solution, something that we think can work, is a very frustrating thing.

I know that the time is short. I do have a summary of my testimony. However, because you went over and I believe you may have some questions for me, if I may I will just give a summary of my statement.

Senator BIDEN. Please go ahead.

Your entire statement will be placed in the record.[1]

Mr. KELLNER. Thank you, Senator.

If I may, the only thing that I would like to say at this time is really to give you some numbers on the impact that this drug problems has had on my office.

For the past calendar year ending September 30, 1986—these statistics come from the Administrative Office of the Courts, the seventh largest Federal District in the United States, the U.S. Attorney's Office for the Southern District of Florida commenced more felony cases involving the most felony cases involving the most felony defendants.

According to these statistics, the Southern District of Florida indicted 1,368 felony cases involving 2,484 defendants.

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[1] See p. 79.

By comparison, Southern District of New York commenced 969 felony cases involving 1,554 defendants Central District of California commenced 1,022 felony cases involving 1,594 defendants.

As of September 30, 1986, we in South Florida had 3,012 felony defendants pending trial. This is more than the Southern District of New York and the Northern District of Illinois combined.

Narcotics matters represent approximately 50 percent of this case load. That includes cases as well as defendants. This represents both the largest in terms of percent and absolute numbers for any District in the United States.

This heavy case load places a correspondingly extraordinary burden on the judges in the Southern District of Florida. Again according to their statistics, in the year ending June 30, 1986 the Southern District of Florida tried 328 felony jury trials, which is almost equal to the number tried in the Southern District of New York and the Central District of California combined.

Senator CHILES. How many judges do they have and how many do we have?

Mr. KELLNER. The combination—New York has 27; Central District of California has a comparable amount. I'm sorry, I don't know the number for Central District of California; but it is larger than ours by a substantial amount.

Senator BIDEN. How many are there here?

Senator CHILES. How many?

Mr. KELLNER. Fifteen judges here. And this is an interesting number. For 15 judges here, they spent 1,362 days in jury trials, criminal jury trials, which is exactly the same as the Southern District of New York spent in criminal jury trials. The difference is they have 27 judges, we have 15.

Eighty three percent of the jury trial days in the Southern District of Florida is criminal. The national average is 46 percent criminal.

Senator BIDEN. Are you talking only now about criminal cases or are you talking about all jury trials?

Mr. KELLNER. Eighty three percent of all the jury days spent.

Senator BIDEN. All? Criminal and civil?

Mr. KELLNER. All, 83 percent of the jury days spent by the Southern District of Florida judges was spent on criminal jury cases.

National average—that's the point, that is the point I'm making. We are, in essence, based upon these numbers, a criminal court, because it is very difficult to get access to a jury trail because of the high number of criminal jury trials that the court and my office, of course, has to deal with.

Senator BIDEN. Is our sentencing bill going to make it harder or easier? Probably going to make it tougher.

Mr. KELLNER. That is the question that were debating. And it's, quite frankly, too early to tell. Some believe, quite frankly, that it will make it even more difficult because we will have more trials.

Senator BIDEN. I wrote the bill. I got to tell you it's going to make it harder; because if you are somebody who is going to get five years on a mandatory and they are where they need to be able to plead with you, what the devil definitely are they going to plead to?

Mr. KELLNER. What they are going to plead to is—if they do not plead they will get 20, possibly. So that's why I'm not certain of the answer.

Senator BIDEN. I'm not either.

Mr. KELLNER. Because the sentences have been strongly enhanced. There's still a benefit to pleading, even if we maintain a minimum mandatory. Of course, your bill also includes that, without provision——

Senator BIDEN. Yes.

Mr. KELLNER. Even though it can be implemented now with the different ways, even the minimum mandatory, especially five years as opposed to ten, I think it certainly will have an impact. Only time will tell.

I must say I'm in the minority. In this district people I speak to believe it will have a great impact and a deleterious one, and my office is one of the few who are taking a the wait and see attitude.

Senator BIDEN. I argued it wouldn't. I'm not sure.

I was riding down in the plane to come to the hearing and said to my colleagues—two people came up to speak to me about other political matters on the plane, and both then said what brings you there as far as coming for hearings or other matters, and I told them why and they said well, certainly they were fully aware of the sentencing bill we wrote.

And I was surprised they knew so much about it until they pointed out to me they were criminal defense attorneys from Dade County who handle overwhelming portions of their case load on a client basis are drug cases. And telling me facetiously to get off the plane.

One said, well, you've made things—I'm not sure whether you made it harder or easier for me. I just know I'm going to be going to trial more.

Mr. KELLNER. I know that is the defense position. We did, I've debated that with defense lawyers as well. I'm just not sure.

Quite frankly, that's really the conclusion of my statement.

The point I wanted to make was that my office and this Court has seen a dramatic impact as a result of narcotics traffic, and this is a national program. We, because of geography, are a smuggler's paradise. We are the closest point in the continental United States with Latin America, where all the cocaine comes from. We have a border of more than 5,000 miles that is honeycombed by canals and access to the ocean. We are 40 miles from a foreign country. We have a difficult problem in terms of securing our borders.

All this makes this jurisdiction a smuggler's paradise where a substantial majority of the narcotics being imported into this country come through our borders. It is not for distribution in this city, the cities of Florida, but it is for distribution throughout the United States.

I read today before I came to work this morning of a case that was indicated or they arrested an individual in Boston. He was arrested for the distribution of narcotics. Where did he get it? He got it in Miami. He was using an auto dealership, shipping the cars to the dealership, come done here and bring the cocaine from here up to Boston.

That's not unusual. We see it every day. There is a Miami connection with every major case made any place in the United States.

Senator BIDEN. I'll just ask one of my colleagues when in the Anti-Drug Abuse Act of 1986 we included $31 million for Assistant U.S. Attorneys to handle drugs prosecutions. Has Washington given you any indication of what share of that, if any, is going to come your way?

Mr. KELLNER. I was told those resources were provided for Project Alliance. However, the Department has realized that—I can tell they are giving me help, but again my understanding was that the Drug Abuse Act of 1986 was specific for Project Alliance. They had 30 prosecutors.

Senator BIDEN. And I'd also like you—I mentioned earlier I chaired the Judiciary Committee. I'd be very interested in having you or have somebody in your office make a further case on the need for additional judges in this District. Something that——

Senator CHILES. I think I might point out to you the frustration in dealing over a weekend with our Congressional delegation I'm changing, Citizens Against Crime and all. One of the things that is raised there is judicial competency has not recommended any additional judges for the Southern District or the Middle District of Florida.

Mr. KELLNER. Senator Chiles, I was there and I was sitting with——

Senator CHILES. And the same kind of figures that our U.S. Attorney give us here, certainly the Middle District has the same kind of situation?

Mr. KELLNER. Yes, sir.

Senator CHILES. Evidently, somehow the way they did their figures, the figures are not taking into consideration any kind of buildup of cases. It is hard for me to understanding, listening to these figures that we have here; but you might know we are going to be building them up.

Senator BIDEN. I suspected so. And I'm anxious to have it.

Mr. KELLNER. I will add that I will provide any support I can and provide any announcements and any other analysis I can.

Senator BIDEN. I think you're doing a helluva job, you personally, and I think your office is.

Mr. KELLNER. Thank you, sir.

Senator CHILES. I want to—we've heard all of these fine statements about your cooperation, how that's working, and we certainly know that's so good to hear local State law enforcement agencies say that because I think it's from the military I can see that total breakdown.

But can you tell me what kind of improvement you've seen in cooperation with other countries? You gave those case examples in your statement and they're very, very good. I'm glad to see those.

But tell us what you see we need to be doing to promote further cooperation if you can in what cooperation you have seen with other countries.

Mr. KELLNER. I think if you look at it from a historic perspective—again, my prespective is very limited because I came into law enforcement in 1982. Let me start there and where we are today.

I see a great deal of improvement. There's a lot of frustration among all of us, especially in my office, because of the problem; it doesn't seem to go away. And we recognize international cooperation.

But then I look at what has happened, for example, in Colombia. If these people, this government, was not cooperating, Colombia, why are they killing everybody?

They literally are on the front line. They have lost—I try to imagine what would happen here if what happened in their Supreme Court had happened in our Supreme Court, where the Attorney General comes home and was shot and killed; where judges have been assassinated. If they had been totally controlled by the drug cartel I can't see where they would be going through this exercise.

Do we want more cooperation? Certainly. I think it is not an easy thing. There are issues of sovereignty and of national heritage involved. I think it comes slowly; and whenever anything is slow there is a great frustration.

I think there's been substantial areas where we can see cooperation not only with Colombia, but a lot of other countries. Do we need more? Do we need better? I don't think there's any question about it, because we still have frustrations. We still have not resolved the problem and I think until we do, or even we can figure out a way to resolve it, we're going to want more and more cooperation.

I think the one example I can give is the negotiations of treaties involving bank secrecy. Very important to jurisdiction because we have Operation Greenback where we are focused on financial transactions.

There have been treaties. We are getting better information. I'm not saying it's a bed of roses, I'm not saying it's all good. I'm saying it's slow, there's a bit better cooperation and it has to be even more.

Senator BIDEN. Senator Graham.

Senator GRAHAM. I would like to ask, and you might respond now or possible supplement the record later, about developing some relationships amont the Federal agencies in terms of their resource allocation.

It concerns me, for example, to see the statistics about the sharp increase in those agencies which have arrest responsibilities, with which we're all pleased, but not a commensurate increase in the prosecutorial component of our criminal justice system so we end up with what I might describe as a—a system.

Mr. KELLNER. Yes.

Senator GRAHAM. I have an additional problem, quite frankly. I don't have the answers. You're right. We have increased our interdiction. The results of that comes to my office.

Judge King on Saturday called it a funnel. We're at the narrow end of the funnel. All you have to do is move it up and we're into the narrow end of the funnel. But you'll say what about the frustrations that my assistancs have at that time increased interdiction efforts? And it has to be done. The more interdicted, the more cases. It trying cases, you can't work the investigative agencies and cartel cases, and the long term organizational cases that have to be

done in order to break up the narcotics enterpreneurs that are bring in drugs?

It is an unfortunate fact of life that there are a lot of people who are prepared for x number of dollars to captain boats and to crew boats and to curry the drugs in through the airport, pilots to fly them, numbers of cases. I can give you numbers, I can give you the examples. But they're all working for somebody.

They're working for people who are putting these organizations together. That's the people that we have to put in jail, that we have to investigate, prosecute and put in jail, that we have to attempt to arrest. There are just too many other people who are prepared to do it.

I sit in may office and I see the numbers of the cases that we prosecute of the carriers coming through the airport. We have to do it. We cannot sit here and announce that this jurisdiction is going to be an open free port for bringing narcotics in. I'm going to prosecute those.

But I know it comes at cost, and that cost is not having these prosecutors sitting with the agencies and doing investigative work.

And then there's another cost that's equally frustrating to me. Sure, I have fifty percent of my case load is drugs. It's an absolute priority in my office. But what about the other problems that we face? South Florida is a growing community, it's economically viable. It's becoming a banking center.

It is a terrific place to live. Will you just make sure that's on record for me, because I live here and I love it.

There are other problems. There are other crimes we must deal with. We must deal with boiler rooms, we must deal with economic crime, we must deal with fraud against the government. And there has to be an unfortunate balancing where we can't take all our resources and I can't take every prosecutor I have and say "I want you to do narcotics work."

I wish I could, but I have to deal with the other things I have the responsibility. I'm not a single-focused agency. I got to deal with the other problematic things that are as important in my mind to the viability of this community.

Senator BIDEN. Well, I think you are making a compelling case.

I have about four or five questions that I'll submit for the record and appreciate your answering them.

And also what I'd like to be able to do is have the Judiciary Staff Committee actually come into your office and sit down with you and some of your people to give us some additional information about what the case loads allocation of——

By the way, only $6 of that $31 million is supposed to go for project alliance clients, one for five million supposed to be—we just added four—you can tell them we added 400 positions to U.S. prosecutors. The bill hasn't passed yet, but that's my Committee. So that not a promise, I don't say it for that reason; but I'm impressed with the need and I appreciate——

Mr. KELLNER. I apologize. We didn't peel a little bit down the line.

Senator BIDEN. No. no, you should. Not only are you down the line. That's the message you get. Just to make it clear, and so it is not a partisan comment, this Administration has done more than

the Carter Administration, the Democratic administration did, with regard to this question.

But quite frankly, it's very difficult and in a time of limited resources to get. Granted, the three of us harp most on this issue because we—I think I can speak for my colleagues—we believe the number one problem for limited resources and we're always fighting to put money into budgets.

Unless my colleagues have anything else to say, we will recess this hearing until 1:30 when the Federal witnesses will testify.

I'm supposed to announce that there is bus transportation for the press and staff to the luncheon.

I thank you very much very, very much.

Mr. KELLNER. Thank you, sir.

AFTERNOON SESSION

Senator BIDEN. The hearing will come to order. We welcome our afternoon panel and what I would like to do is to begin in the order that our distinguished panel is seated.

And Admiral, I'll begin with you. For the record, why don't you state your rank—you do not have to state your serial number—but state your rank and your responsibilities and then proceed with your statement. Your statement can be summarized, and your entire statements will be placed in the record, Admiral.

TESTIMONY OF REAR ADM. HOWARD B. THORSEN, COMMANDER OF THE SEVENTH COAST GUARD DISTRICT AND COORDINATOR OF THE SOUTHEAST REGION OF THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS)

Admiral THORSEN. Thank you, sir.

Mr. Chairman and members of the Committee, I'm Rear Admiral Howard B. Thorsen. Although I am also the Commander of the Seventh Coast Guard District headquartered in Miami, I appear before you today as the Coordinator of the Southeast Region of the National Narcotics Border Interdiction Systems (NNBIS), which, as you know, is headed by Vice President George Bush.

I am pleased to be able to brief you today on some of the key aspects of the Federal initiatives that have to deal with the drug problem.

First, NNBIS has been in operation for just a little more than four years now. I have only been associated with it since the 10th of June of last year. My NNBIS staff has representations from all the DOD Armed Forces, Coast Guard, Customs DEA, FBI, Florida Department of Law Enforcement which is our liaison for the State and local law enforcement agencies. And I think they we are working very well.

I think that to remined those who may not be conversant with it, I would just mention the tasks which my NNBIS office is tasked to do.

One is to increase participation of the military services in support of drug interdiction, to enhance interagency coordination and cooperation for drug interdiction, to expand the involvement of the intelligence, community in support of drug interdiction, and to pro-

mote international antidrug efforts which complement U.S. interdiction activities.

And although I am certainly prepared to discuss in detail and of the aspects of the system, I point out that 80 percent of the marijuana that's interdicted from foreign sources is interdicted in this region, along with about 60 percent of cocaine. And I would request your indulgence to allow me to read just about a page or so of this.

Senator BIDEN. I don't mean to over-abbreviate your statement, Admiral.

Admiral THORSEN. No, sir. But I would like to take this opportunity to provide you with but one example of how this interagency cooperation works.

Less than one month ago, a United States Marine Corps OV-10 aircraft on patrol in support of the law enforcement activities diverted to an area approximately 100 miles south of Miami and detected two suspect fast boats, loitering. The patrolling Navy hydrofoil, U.S.S. *Gemini*, with a Coast Guard Law Enforcement Detachment on board was tasked to intercept the two suspect vessels.

Concurrently, an aircraft in the area was detected by Customs at their C3 site utilizing the radar in the Air force Aerostat at Cudjoe Key.

The Coast Guard, Customs and DEA were alerted. A second Marine OV-10 was diverted and intercepted the air target. A Coast Guard helo was launched to maintain surveillance of the two fast boats. A Customs Citation was launched to relieve one OV-10 trailing the suspect aircraft as it flew towards the Bahamas.

During the course of surveillance the suspect aircraft was observed jettisoning approximately 18 percels near the position of the suspect fast boats. The suspect aircraft landed in the Bahamas but the persons on board fled the scene before a Customs Blackhawk could arrive with Bahamian strike force personnel on board. At the site, the individuals from that plane were subsequently identified from Bahamian entry papers.

The next day the pilot and passenger were arrested by Bahamian officials and expelled from the Bahamas to the United States where they were arrested by agents of the South Florida Task Group.

While this air action was unfolding, the U.S.S. *Gemini* intercepted the two fast boats and initiated high-speed pursuit. This high speed chase continued for 45 minutes before one fast boat was apprehended. During that pursuit, a crewman on a fast boat was observed throwing packages overboard. Thirteen of the packages, all containing cocaine, were retrieved by the U.S.S. *Gemini* and a Coast Guard helicopter detailed the support of Op Bat.

The other suspect fast boat continued on a heading for the Florida Keys at high speed. A Marine OV-10 followed the suspect and was relieved by a Coast Guard helo. A harbor blockade by Coast Guard and Customs along the Keys resulted in that vessel's interception by Customs just prior to landfall. No contraband was found on board, but the boat was seized and the crew arrested.

As a result of this activity, two vessels, one aircraft and approximately 920 pounds of cocaine was seized; five crewmen from the two fast boats were arrested, along with the crew of the involved aircraft.

This was not a planned special operation. This was a sequence of events that occurred and was reacted to by all involved. I think it is a good example of the type of coordination that proves successful cooperation has been achieved.

Thank you.

Senator BIDEN. Thank you very much, Admiral.

Mr. Heavey.

Mr. HEAVEY. Yes, sir.

Senator BIDEN. You are the Southeast Regional Commissioner for Customs, correct?

TESTIMONY OF GEORGE HEAVEY, REGIONAL CUSTOMS COMMISSIONER FOR THE SOUTHEAST REGION

Mr. HEAVEY. Yes, I am. I have held this position for approximately ten months.

I share Commissioner of Customs William Von Raab's belief that drug abuse is one of the most serious problems facing our Nation. And since becoming Regional Commissioner of the Miami Headquarters Southeast Region I have devoted much of my personal energy and the Region's resources to drug interdiction.

Drug abuse affects the very foundation of our democracy, the health and well-being of our children, and the values and morals of this and future generations. I am pleased to have a major role in combatting this problem and Customs is fully dedicated to the effort.

In the interest of brevity I will submit the entire testimony to the Committee.[1]

And I'd like to move around covering several major areas, if you don't mind.

Senator BIDEN. Your entire testimony will be placed in the record.

Mr. HEAVEY. Thank you.

Air interdiction. Customs authority at or between ports of entry is preeminent. This authority has over the years enabled Customs to exercise extraordinary search and seizures powers over operators of general aviation aircraft as they enter U.S. from abroad.

The resources from Customs has had available to accomplish this mission have grown considerably since early 1984. Annual funding has increased from $31 million in fiscal year 1984 to $170.9 million in fiscal year 1987. The omnibus drug bill and accompanying appropriation legislation provided the Customs service with the funds necessary to operate two E-2C aircraft, and to obtain four additional Blackhawk helicopters, two additional high-speed intercept aircraft, and five additional Aerostats. It also provided funds necessary to modify Customs C-12 aircraft with sophisticated sensor equipment and to enhance our P-3 aircraft with 360 degree look down radar.

The two E-2C aircraft were obtained from the U.S. Navy on February 7, 1987. These aircraft are now being used in an operational training mode over the Southwest border. During these op/training missions which are being flown out of San Diego, Customs pilots

[1] See p. 86.

and sensor operators are honing their skills in the utilization of the aircraft. We expect to have the aircraft operationally deployed out of Corpus Christi, Texas in early June 1987.

The E-2Cs will give Customs the ability to fly sustained missions of the Southern border and over the Gulf of Mexico, and in conjunction with our aerostat radar balloons will give Customs a greatly enhanced ability to stop the illicit movement of drugs by air.

Of the four Blackhawk helicopters provided to Customs, two of these were delivered to Customs on January 21, 1987. A third was delivered March 11, 1987. And a fourth Blackhawk was delivered in mid-April, 1987. The first Blackhawk was assigned to the New Orleans Aviation Branch, the second to the Houston Aviation Branch, and the remaining two to the San Angelo, Texas Aviation Branch.

The drug bill and accompanying appropriations legislation provided funds necessary to purchase five additional aerostats. Sites for four of these aerostats have been selected after consultation with the Air Force. They are located at McAllen, Texas, Elephant Mountain in Texas; Deming, New Mexico and Childs Mountain, Arizona. Customs is considering a proposal to place a fifth aerostat at a location in the Turks and Caicos Islands. The Fort Huachuca aerostat partially funded in previous Custom's budgets will be available for initial operating capability by October 1987, and is expected to be totally operational by December 1987.

A major project in the air program is the modification of a Lockheed P-3B Orion with an APS-138, 360 degree look down radar. This project is proceeding on schedule. The advertising period required by law is almost over. We expect to sign a contract with Lockheed Corporation in May. The National Drug Policy Board is trying to resolve legal issues involving the transfer of the radar.

Also, the Civil Air Patrol has been used quite extensively by the Customs Service. With 47 corporate aircraft across the nation, six of these aircraft are presently being utilized in Customs Southeast Region. These aircraft have been supporting the Customs Office of enforcement with marine patrol flights for approximately one year as requested by the designated Customs area managers.

The results of their targeting specific vessels is as follows:

Arrests, five; Seizures, by number, six; Marijuana, approximately 2,835 pounds.

We intend to expand the Civil Air Patrol to Virginia, Maryland and D.C. in addition to its present operations in Florida and California. Patrol will also be operating in Texas, Arizona, New Orleans, New York and Massachustts.

Marine interdiction. Customs is continuing to give the marine interdiction program a high priority. Since January 1986 we have acquired 44 interceptor class vessels, 19 utility class vessels and three radar platforms. We are now in the process of acquiring 20 additional vessels with funds provided in the drug bill. With this new acquisition our marine inventory will stand nationally at 247. A number of vessels we have acquired or are going to acquire are replacements that are being used to modernize and standardize our fleet. The largest concentration of personnel and equipment dedicated to drug interdiction is concentrated here in Customs South-

east region. In this region we have 152 enforcement vessels and 529 marine enforcement positions. About 85 percent of these positions have been filled and the remainder will be on board within approximately four months.

As we develop and analyze intelligence on new trends and areas of operations being utilized by the smugglers, we deploy our marine assets to meet that shifting threat. Customs efforts to increase marine resources in the Central Gulf Coast and Pacific areas are currently underway.

Six marine radars are now operating on the Texas Gulf Coast; a seventh is expected to become operational June 1987. Eight land-based radars being installed on the Eastern Gulf Coast or Florida's west coast should be operational by October 1987.

The Blue Lighting Operational Command Center, BLOCC, was established in Miami, Florida on February 11, 1986. Customs assets currently being coordinated by the BLOCC include some 85 vessels, 340 Customs officers, ten shore-based marine radar sites, and three aerostat radar balloons.

Over 25 local law enforcement agencies have already joined contributing resources of some 260 officers and about 90 vessels equiped with Customs transponder and a voice privacy radio. The National Park Service, the United States Border Patrol and the Coast Guard have also joined.

Efforts are now underway to include western and northern Florida which will more than double the present-day assets. We have already provided orientation training to more than 60 law enforcement agency heads, most of them are sheriffs and police chiefs from Florida's west coast, and will be establishing a west coast blue Lightning Steering Committee in Tampa this month.

Thank you.

Senator BIDEN. Thank you very much.

Our next witness is Mr. Billbrough, Assistant Special Agent in charge of the Drug Enforcement Agency.

Welcome.

TESTIMONY OF SYLVESTER B. BILLBROUGH, ASSISTANT SPECIAL AGENT IN CHARGE, MIAMI FIELD DIVISION, DRUG ENFORCEMENT ADMINISTRATION

Mr. BILLBROUGH. Thank you.

Chairman Chiles, Chairman Biden, Senator Graham. I'm pleased to appear before you today to discuss DEA's implementation of the provisions of the Anti-Drug Abuse Act of 1986.

I have a full statement, sir, and I'll submit that for the record.[1]

Senator BIDEN. It will be placed in the record.

Mr. BILLBROUGH. Thank you, sir.

As part of the Act, Congress provided DEA with $60 million for salaries and expenses and 629 positions. Of those positions, some approximately 400 are Special Agent positions. A substantial proportion of those are being assigned overseas. Here in the Florida area we will receive 68 new Special Agent positions.

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[1] See p. 112.

The Act provides for an effective weapon for control of man-made drugs. The Act subjects individuals who manufacture and distribute controlled substance analogs for human consumption without proper FDA research and approval to the same criminal sanctions as those persons who unlawfully manufacture and distribute scheduled one substances.

The Act calls on the Attorney General to conduct a study of the need for legislation to control the diversion of precursors in the central chemicals. This study has been completed, proposed legislation has been forwarded to the Congress and we urge your early consideration of this important legislation.

As you know, a hidden threat in clandestine laboratories includes toxic chemicals, compounds, drugs and drug analogs which are frequently present. Predominant hazard comes from the inhaling of these chemicals.

To protect our Special Agents and chemists, we have developed a clandestine laboratory agency program which includes the purchase of innovative protective and safety equipment and a one week training course on its proper use. Once fully implemented, the safety program will also benefit State and local enforcement agents who conduct clandestine lab seizures.

As you are aware, DEA has a long history of mutual cooperation in investigations and intelligence exchanges with state and local law enforcement agencies. The Act now provides DEA with the power to deputies State and local officers with authority under the Controlled Substances Act, Title 21, to permit these officers to perform Federal level investigations.

The new authority will be of immense benefit to DEA State and local task force program. The Act provides 94 positions and funding to establish new State and local task force forces and to enhance successful existing task forces.

Through this funding, five new programs will be established. Two of those are in Florida, one at Tampa and one at Fort Myers.

The Act assigns additional positions for use in crack teams is in 24 metropolitan areas. Three of these are in Florida, one here in Miami, one at Fort Lauderdale and one at Fort Myers, Florida.

I'm pleased to say that the Fort Myers crack team is in existence.

Fort Lauderdale has assigned a liaison agent to work with the locals to develop the program.

Here in Dade County, just last week a grant request to the criminal justice funding mechanism was filed.

I expect this year that there will be substantial increase in assets seized and forfeited, because DEA has increased the number of field division asset removal teams to a current total of nine. This will enable us to better implement the Act to provide assets seized to local agencies.

At DEA we recognize that despite all of our successes there are more illicit drugs on the streets of our cities than ever before. Although the domestic production of drugs is not an insignificant problem, most of these drugs come from foreign countries. For this reason, we have felt the need to apply substantial additional resources in source countries and we are doing so at this time.

The Act enhanced DEA's operations in foreign cooperative drug investigations. It provides for a U.S./Bahamas Task Force, which is being implemented at this time. It provides for additional resources for the Southwest border in operational plans where we share enforcement responsibilities with the Customs services and border patrol in across the board activities.

This is just a brief summary of DEA's efforts in support of the Drug Abuse Act of 1986. At an appropriate time I would be pleased to answer questions.

Senator BIDEN. Thank you.

Admiral Thompson.

TESTIMONY OF VICE ADM. D.C. THOMPSON, COMMANDER, ATLANTIC AREA, U.S. COAST GUARD [1]

Admiral THOMPSON. Mr. Chairman and members of the Committee, I'm Admiral D.C. Thompson from Governors Island, New York. I'm Commander of the Atlantic Area Operations, which is basically everything east of the Rockies, oversee the efforts of District Commanders, the likes of Admiral Thorsen and others. And today I'm representing Admiral Youst.

And following your guidance, I'll provide a brief overview of the Coast Guard's implementation of the Anti-Drug Abuse Act of 1968 in coordination with other agencies.

The Act provided resources of significant new authority for the Coast Guard's role in drug interdiction and we began an immediate implementation of the provisions of the Act and they are already producing results, including $89 million in acquisition, construction and improvement funds for new assets which included five new 110-foot patrol boats that were added to procurement already in progress. First of these will be delivered in February 1988 and the remainder will fall in about one-month intervals.

Two new C-130 aircraft, which will provide additional surveillance capability, and they will be delivered in December of this year.

Additional secure communications equipment is being acquired to improve law enforcement coordination between the cutters and the aircraft and the shore units; and also well along in providing a boatlift and a docking facility over in the Bahamas to support the extensive operations there. Contracts have already been let for the boatlift.

And after examining a number of potential sites for the docking facilities, we're in negotiations with the Bahamian Government, under the auspices of the State Department. We plan to use a base near Georgetown, Great Exuma.

We have $30 million in the operating expense account and it is being used in part to operate two of the E-2C aircraft transferred from the Navy to us by the Act. We began flying the first of these aircraft in January 1987 to combat the tough air smuggling threat.

In addition, our existing HU-25 Falcon jets are being used as interceptors and we're contracting for sensors to make these aircraft even more effective in that role.

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[1] See p. 137 for Admiral Thompson's prepared statement.

And we're pleased with our initial air interdiction results. To date, 528 pounds of cocaine, an aircraft and six smugglers have been arrested. We're also providing helicopter support to operations in the Bahamas, Turks and Caicos.

OPBAT. Under an agreement with Customs Service, $8 million provided to them in the Act will be transferred to the Coast Guard for expanding helicoptor and communication support to OPBAT later this year. We're assigned a liaison officer to the U.S. Embassy in Nassau at the request of the Ambassador over there to help coordinate drug interdiction initiatives in the Bahamas.

Operating expense funds will also be used in 1987 expanding our recruiting and training and for operation of equipment such as night vision devices, surveillance cameras, some aircraft life support systems, and they allow us to continue our multi-agency international operations, which have been very effective. Since the 1st of October 1986 we've seized 65 vessels arrested 233 people and interdicted 511,000 pounds of marijuana, 4,139 pounds of cocaine, 13 gallons of hashish oil with an estimated value of about $665 million.

Mr. Chairman, the Act contained less visible but still important provisions changing the Mansfield Amendment, and 21 U.S. Code 955 AE changes are already resulting in new cooperative efforts with the foreign governments in the Caribbean and elimination of loopholes in the prosecuting process.

The Act has resulted in closer cooperation among all the Federal agencies involved in the implementation of its provisions. For example, the Commandant can conclude an agreement with the Commissioner of Customs to locate the Southeast U.S. Command Control Communications and Intelligence Center for air interdiction on some Coast Guard-owned property near Miami.

At the unit level, I'd like to report interagency cooperation remains excellent.

In summary, the Act provided us with new resources for prosecuting the war on drugs, many of them are already employed in that fight, and the remainder will be delivered soon. Increased coordination among all involved agencies should make those operations even more productive.

Our conclusion at this stage is that Anti-Drug Abuse Act is beginning to achieve the goals that Congress intended.

That concludes my brief statement and I, too, look forward to questions.

Senataor BIDEN. Thank you very much.

Senator Chiles.

Senator CHILES. Admiral. I thought I heard you say at the unit level, cooperation continues to be excellent.

Admiral THOMPSON. Senator, what I meant to say is at the operations level, cooperation is good from where I sit in the area all the way down through the—down to the smallest common denominator, the boat or the aircraft.

Senator CHILES. Well, I still distinguish a little something different there. "Unit," "operational." There are still some levels above that that you haven't mentioned.

Admiral THOMPSON. I don't have much occasion to deal with levels above the Area, Senator.

Senator CHILES. Above your pay grade is what you're telling me, Admiral?

Admiral THOMPSON. Yes, sir.

Senator CHILES. You don't want to deal with it?

Admiral THOMPSON. Mercifully, I don't have to deal with it, sir.

Senator CHILES. Well, perhaps your statement then might be technically correct as to where you speak, but I think that's still one of our problems and it is at the unit or the operational level.

I'd like to address this to the panel. It concerns whether interdiction is, A, cost effective; and B, something we should pursue; or should we be putting our dollars somewhere else?

I think it would be interesting to just kind of hear from you all as to what you think where we are now and where we can go with interdiction.

Is it something that we can achieve further successes?

What percentage do you think that we're actually at? We know the seizures are up. What percentage are we able to intercept now?

I'd like to hear some sort of discussion from you each on that, if you could.

I'll start with you.

Admiral THORSEN. Thank you.

I did not ask. If it wasn't going to be done automatically, I would also like to have my statement entered in the record.

Senator CHILES. Certainly.

Admiral THORSEN. The question of measures of effectiveness, Senator, I would say it is troubling to me, from a NNBIS Coordinator's standpoint, because I think that the body count mentality—I guess we can use that term and everybody would understand what I mean—versus the effectiveness of the interdiction.

Until I got into the law enforcement business, which was only last 10 June when I took command down here of the Coast Guard Seventh District and the Region NNBIS, I assumed, like probably most citizens, that if you got there and continually interdict and get more and more pounds every year, you're really getting a handle on this thing.

And then someone finally explained to me that that is probably, in effect, a measure of ineffectiveness. It was given to me in this example:

If you had five policemen out there and they make five arrests, and you say "we have got a problem, so we'll put ten policemen out there," and if those ten policemen make 15 arrests, you say, "By golly, we're getting a handle on this thing."

No, we're not.

If you assume the same level of effectiveness, you put ten policemen out there, and after while you're only making eight arrests, now you have had an impact on it because there is less there. You have, in fact, detoured it.

So the body count mentality that says, "Gee, you seized less this year than last, you must be failing," is not correct.

And I think that our effectiveness has increased as we have grown used to working together. Certainly——

Senator CHILES. Conversely, though, would you say if we're seizing more than we seized last year, we know we're not succeeding because it's still coming in?

Admiral THORSEN. That's correct.

Senator CHILES. And we are seizing more.

Admiral THORSEN. No, sir, we are not.

Senator CHILES. We're not seizing more?

Admiral THORSEN. That's correct. Not in this Region. We're still seizing a million-and-a-half pounds, but it's less than it was before. And of course we don't know the size of the crop. It is inescapable, however, that the price is up and the availability is down——

Senator CHILES. Now this is marijuana we're talking about?

Admiral THORSEN. Marijuana, yes, sir. I'm glad you mentioned that because that's what I'm speaking of now.

It is entirely different with cocaine; but we don't know how much more they're producing, we don't know how much they are shipping, but we do know that it is harder to get on the streets of Miami and the price is up. I think that is a measure of effectiveness. We haven't whipped it. Not at all.

The converse is true on cocaine. Seizures, I think, are up a little bit. Availability is way up.

Senator CHILES. All right, sir.

Mr. HEAVEY. From the standpoint of interdiction, I would wholehartedly agree with Admiral Thorsen. Cocaine, looking at some seizure statistics, just by comparison between fiscal year '86 through April and fiscal year 1987 through April, in 1986 through April, Customs in the Southeast Region seized 19,600 pounds of cocaine. This year we're up to 29,317 pounds. We're plus 9,682. That's a plus of 49 percent.

Senator CHILES. Forty-nine?

Mr. HEAVEY. Forty-nine percent.

Senator BIDEN. What's the market value? Do you have any rough estimate of the market value of that, 30,000 pounds of cocaine?

Senator CHILES. You got to break it down whether you want street or wholesale or what.

Senator BIDEN. I assume wholesale

Admiral THOSEN. About $20,000 a kilo I guess, isn't it now?

Commissioner HEAVEY. Twenty.

Mr. BILLBROUGH. Twenty thousand is a good accurate wholesale figure. Just for quick, fast round numbering you can multiply that by ten for street level.

Commissioner HEAVEY. Marijuana, on the other hand, in fiscal year 1986 thourgh April 1,860,942 pounds, fiscal year 1987 through April 672,718 pounds, for a deficit or a minus of some 414,000 or minus 38 percent.

Is interdiction working? Yes; but it's not working alone as the only element of a strategy that we employ here in the Southeast. We find that with the limited resources that we have, the application of technology is helping, such as aerostats and condo radars. The participation, the high participation in joint and team efforts such as the Florida Joint Task Group, such as the Bahamian Task Force, NNBIS, Blue Ligthing, working with the State and locals.

We feel that interdiction is key but it isn't the only answer. Here, we work, Customs works, very closely with the other Federal, State and local drug enforcement agencies. We must, however, retain the element of collective decision-making, of being able to move about, to be flexible in crafting our strategies, crafting our

procedures in essentially outwitting, attempting to outwit the smuggler whether it's by air, land or sea.

Thank you.

Senator CHILES. Yes, sir.

Mr. Billbrough.

Mr. BILLBROUGH. I certainly agree with the comments of Commissioner Heavey. While certainly interdiction alone will not overcome this problem, it's an essential aspect of it. Without it I think we would be in an absolute critical situation, where we're just in a bad situation now.

I think we are becoming increasingly effective. I think steps are being taken to further tighten the web which we're threading around the Caribbean. We are operating some half a dozen radar installations now.

The new interagency task force in the Bahamas is becoming increasingly effective with the additional equipment on the way; that is, the additional aerostats in the southern Bahamas and the proposed radar installation in Turks. With a limited amount of additional helicopter equipment I think we can go to substantially increase the effectiveness of the U.S. efforts in preventing cocaine from coming into the United States.

So whether it's cost effective or not, of course, depends on how you value human life. If one kilogram gets in and if that takes the lives of ten people, then what is the cost of that?

I don't see how we can do other than what we're doing now. This, of course, is not to say that we don't need to continue to study the area in prevention and treatment, and so forth, because most certainly that's part of the total equation. The overseas program is part of the total equation.

Thank you, sir.

Senator CHILES. Mr. Billbrough, your recent DEA report shows the number of crack houses in South Florida has increased to around 700. The Police Chief of Miami Beach tells us that there are more crack houses than there are liquor stores on the Beach.

Mr. BILLBROUGH. Yes, sir.

Senator CHILES. How is DEA coordinating with local law enforcement officers to close these dens? Has DEA had an opportunity to utilize the new Federal drug law which outlaws the operation of crack houses?

Mr. BILLBROUGH. Senator, the problem of crack is a street problem.

DEA has tended philosophically to try to concentrate on the higher levels of the traffic; that is, the international levels and the interstate levels.

We have received additional personnel to try to coordinate our intelligence information and our actions, to try to make equipment available to local police agencies. But this particular battle, it is one more for local police agencies than it is for the Federal Government.

I believe that we could use our entire force that we have here in Florida on the crack problem, and I'm not sure how much we would dent that problem.

Senator CHILES. We gave you some assets.

Mr. BILLBROUGH. Yes, sir.

Senator CHILES. We said part of these assets we want you to use on crack.

And you said in your earlier prepared statement that you set up three crack squads, or——

Mr. BILLBROUGH. Teams, sir.

Senator CHILES. Teams?

Mr. BILLBROUGH. Yes, sir.

Senator CHILES. Well, I'm asking you what the hell the teams are doing?

Mr. BILLBROUGH. All right, sir.

The team in Fort Myers is in existence and is working with local agencies. We've been using our people for undercover assignments because they're not as well known as the local officers.

Each suspect that we get we try to check our files. Each arrest that occurs we try to determine where that cocaine comes from, trying to work up and work up.

Here in Dade County, sir, the local agencies are just forming up of how they want to organize it. We have assigned one man to work with them, to talk with them. Just last week an agreement was signed by DEA with Metropolitan Dade County Police so that they could make application for a grant to get additional financial assistance for the crack situation.

In Fort Lauderdale we have one agent assigned and a second agent about to be assigned with the Broward Sheriff's Office in the Fort Lauderdale Police Department in this crack area.

Senator CHILES. So to you, in effect, the crack team is the assignment of one agent?

Mr. BILLBROUGH. Two agents, sir, normally.

The additional provisions we're providing are in the pipeline. People are being hired and trained. We have taken agents out of our existing resources that we had in the formation stages of the two, one here in Dade County, one in Broward. The one in Fort Myers is in existence and operating.

Senator CHILES. Do you know whether there's been any utilization of the new law on the outlaw of the operation of the crack house?

Mr. BILLBROUGH. Senator, we had several cases underway in Broward County when I last received a report that we were attempting to use it.

Part of our thinking is that because of the Federal seizure provisions we would actually be able to seize the premises themselves, and we think that's a contribution that we can make to the local efforts in this area.

And those cases were underway at the last quarterly reporting that I read.

Senator CHILES. Well, Senator Biden pointed out to me he founded the legislation that sent $10 million for 94 positions for expanding DEA, State and local task forces. That is our crack task forces that we're talking about, sir.

Mr. BILLBROUGH. Yes, sir. We received three of those, sir, and six positions.

Senator BIDEN. Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman.

One of the themes that ran through the discussion this morning was the need to have a strategic plan with goals and quantifiable standards by which we would assess whether we've accomplished our goals or not.

In the specific component of drug interdiction, Janet Reno said that there had been an assessment by unnamed Federal officials which was then adopted by a local Grand Jury that it would require a 75 percent interdiction level in order to make the risk of drug trafficing sufficiently high to begin to frustrate its utilization.

Is there a Federal goal, timetable and quantifiable measurement of accomplishment that is driving the various resource allocations that each of you have described in your particular agency as committing to this?

I guess, to put it in shorthand, how will we know that we have achieved victory in the Federal efforts, what are we trying to accomplish?

Admiral THORSEN. I'm not aware of any percentage, Senator, of 75 percent.

I am in receipt of intelligence information that would indicate to me that something somewhat less than that causes the traffickers considerable concern; anywhere from 40 to 60 percent, they have problems.

It is a business. It is an organization. They have cash flow problems when we interdict 40, 50, 60 percent of it. That we know.

We have caused them to spend more time and more money. Five years ago it was a rusty-hulled former fisherman out there that no longer looked like it was ever going to fish again or hadn't for the last five, and the bales were stacked up to the gunn'l and you flew over it and there they were, you got a bust, a 20-ton load.

Today, five 6,000-pound loads; six 800-pound loads in secret compartments that cost them time and money to install; and they are bringing it up in vessels that look like just any of the other recreational boats out there.

I don't know where 75 percent would come from.

Senator GRAHAM. I don't know either. Janet indicated it came from some Federal official that testified, I gathered, before the Grand Jury.

But let's say if it's 40 percent, is there a strategic objective based on an assessment of the goal of reducing drug trafficking against which we are deciding strategies and tactical resource allocations for drug interdiction?

Admiral THORSEN. There's an annual plan for the employment of resources, but——

Senator GRAHAM. What does that plan say our goal is?

Admiral THORSEN. I don't believe it contains a goal of percentages.

Senator GRAHAM. How do you know if you've gotten to your destination if you don't know what your destination is?

Admiral THORSEN. I assume when the availability is way down, the prices are way up, way up, and the demand starts to go down.

But interdiction itself is what I'm taking about. We have no set goal of a percentage because we wouldn't know what to set, to my knowledge.

Admiral THOMPSON. Senator, I think that the strategy that I have seen over the years has been to make sure that the resources that are committed or can be brought to bear on interdiction are used in the most effective way that they can, and that we get the Department of Defense resources in that are useful to us, and that the efforts are better coordinated; but I don't think there's any expectation on the part of the interdiction forces that we'll ever achieve a 75 percent level or anything near that.

I would say that we, typically, as a community of people involved with interdiction, look at it as a holding action. We want to get as much of it as we can while the other processes which deal with the demand side, and perhaps the overseas side, have their effect.

Senator GRAHAM. That infers that there is a grand strategy that says we will do a containment effort on interdiction while we have these other components reaching a level.

What constitutes success on those other components? For instance, from the DEA's standpoint, what do we have to do in terms of foreign activity and suppression that would constitute victory on that front?

Mr. BILLBROUGH. Senator, I think that we need to just keep applying more resources until we can see the availability turn down. The more resources we apply it seems the higher the availability has been.

It appears to me that in the interdiction area we are reaching a point where the possibility of getting loads by us is decreasing. It seems to me with the additional steps we're taking now it may very well be that the availability will decrease. I think it's a matter of how much we can afford.

And it just seems to me that what we're doing is applying more and observing the result. If it's not good, you apply more and observe the result. But I, too, agree with everyone here, and I think we all agree. I think that those of you sitting there agree that the enforcement alone is not going to do it. We are back again to prevention and education, primarily, along with overseas activities.

Mr. HEAVEY. Senator, from the standpoint I would like to add, looking at the components of interdiction being detection, targeting, pursuit, apprehension.

No, I don't think there's a golden yardstick for measuring what is success. On the down side, my particular commission could look at me and say well, your seizures of marijuana are down.

Does it mean, as Admiral Thorsen said earlier, that interdiction isn't working? I think it is, on marijuana. And I think that the gentlemen at the table would agree with me.

We employ a variety of techniques of strategies against drug smuggling. We may focus upon rising statistics from the standpoint of if I'm to talk about how effective is Blue Lightning Operation Center, how many targets do you track?

You and I, when we first met not too long ago in Port Canaveral, when I first arrived in South Florida and we began the Blue Lightning Center, I was concerned because we were hitting targets, we were seeing an average of 100 to 125 targets per week. And I noticed initially our reaction, our interception rate was fairly low, nine or ten percent. Now it's up to, on an average, 30 to 31 percent.

What does that mean? It means possibly that the technology is working. Possibly that the concept of having a combined force approach to these marine targets is working.

What's the down side? Marijuana seizures are down. Does that mean we are not doing well? Well, we are doing well. Cocaine seizures happen to be up.

We are doing other things under this joint approach called Blue Lightning. We are sharing intelligence. We have a master data base. We're looking at it analytically with the participating agencies. We have in excess of 7,000 vessels and individuals in this data base. We just scratched the surface and we've ID'd—identified, that is—several companies, probably front companies, 16 individuals using 11 vessels, most probably involved in drug smuggling.

I'm saying that all together, quite possibly, yes, we should retain a broad spectrum of measuring our accomplishments, not just by arrests and seizures, per se, but sharing of the intelligence, the deterrent effect, causing—perhaps in some cases we are our worst enemy—causing displacement, causing the threat to shift, to move about, causing the smugglers to move from smuggling by the marine environment to air. We know that.

We have a program called Sea Eagle within Customs, which started just from the added leverage we have in the drug law in terms of identifying small airfields and looking at aircraft that are being used by known or suspected smugglers. Thus far, in less than three months we seized fourteen aircraft and not an ounce of drugs. But we've seized them because they failed to report arrival and the aircraft had been modified illegally. They had not been certified by FAA. We know that those modifications, according to the experts in FAA, are used exclusively to smuggle drugs.

We will move towards criminal prosecution, we'll turn these cases over to Sam Billbrough's people, to the DEA to investigate, to see who the individuals are associated with it.

Thank you.

Senator GRAHAM. Mr. Chairman.

Senator BIDEN. Sure, go ahead.

Senator GRAHAM. One other line of questions; and that is, there's been references made to the role of the Department of Defense resources.

How would you assess the current relationship between civilian law enforcement agencies and the non-Coast Guard components of our national defense?

Mr. BILLBROUGH. I think they're doing more, sir, than they have ever done. Probably should be doing more yet.

Senator GRAHAM. If I can follow up, it your answer as you have stated it, what would be the areas that you would give priority to in terms of additional Defense Department Activity?

Mr. BILLBROUGH. I think there has to be a continuation of the assests we seized. Coast Guard receives substantial assistance from the Nave and Marine activities. We in Operation BAT have presently three United States Army Blackhawks assigned, two Air Force helicopters assigned, and just to round the picture off, one Coast Guard helicopter at this time and more on the way.

Our concern is that we continue to receive assets such as that.

Admiral THORSEN. There are a great number of DOD assets in use on a daily basis. We have U.S. Navy vessels, U.S. Navy aircraft that are employed as part and parcel of joint operations every day of the year.

So as Admiral Thompson had mentioned earlier, effective use of those very capable, very expensive resources that are coming out of the Navy's budget and out of their operating targets certainly must be assured before we ever ask for more.

I shouldn't limit that however to the Navy. Certainly the Army and Air Force are also providing assistance.

Mr. HEAVEY. From the Customs Service viewpoint, the use of DOD resources under the umbrella of intelligence, signals intelligence, communications intelligence, human intelligence, intelligence for example when they have their fleet out on the water and up in the sky, to report in a tactical mode, which they are doing, with interdiction resources; whether they see vessels out there that shouldn't be out there under suspicious circumstances, whether we have collection resources in drug source or transient countries, whether they are responding to a given menu of intelligence requirements from drug entorcement agencies which we work very closely with in this to validate, to funnel our overall intelligence needs.

Senator GRAHAM. Thank you, Mr. Chairman.

Senator BIDEN. You know, gentlemen, I was sitting here thinking. I just leaned over and asked Senator Chiles, asked how much the cost of a carrier battle fleet is. And just for the carrier and the aircraft on the carrier I think—I may be mistaken—I think it's about $2 billion 800 million.

Senator GRAHAM. A multiple of three.

Senator BIDEN. That's not the whole battle fleet, that's just the carrier and the aircraft.

Is it larger than that? It's closer to $6 billion.

Senator GRAHAM. (Nods yes).

Senator BIDEN. Imagine what resources if we just took one carrier battle fleet out of the entire Federal budget and in fact they were able to, over a period of the next five, six, seven, eight years devote it to—I don't want to get in an argument whether we need another carrier battle fleet—but we are——

I think we don't, by the way, but that's another question.

When we talk about resources, it reminds me when this battle started. Senator Graham was Governor during this period and working on it, and Senator Chiles and I started in this area. We were devoting so few resources to the entire drug interdiction area that we now talk about it almost—I sense from all of you, when you're speaking about it, almost a note of apology that we're spending as much money on this area as we are. We are—and I know that's not what you mean, but I think I'm saying this because I want the press out there to understand that it is a—we're in the entire criminal justice system we're spending about how much now? About from the Federal level, about $5 billion. That's everything from white collar crime, drugs, to judges, the whole works. That's up from about $3 billion, what it was less than seven years ago.

My goodness, when you're talking about a $100 to $120 billion business that we're dealing with, I just—I don't know. I kind of wonder where our priorities are.

Let me ask a couple specific questions then let you-all go. I'm going to suggest my colleagues submit to you-all a series of about three questions each that I have for you so I won't take the time to do it now. I'd like for you to keep the record open for your response.

Admiral, let me begin with you.

I have a question for each one of you.

To your credit, many agencies have indicated that the NNBIS system is now playing a role in coordinating operational intelligence; but in 1985 the General Accounting Office report said that the system participated in less than ten percent of the interdiction operations in the Miami area, our most active region in the country.

Now, things have improved you said since 1985, as I understand it. But however, the Office of Technology Assessment has indicated that there's a proliferation of intelligence and coordinating entities. For example:

One, the Coast Guard operates its own C3I centers.

Customs service operates two different C3I centers, one for air interdiction, one for marine interdiction.

Customs service is now operating Blue Lightning Operation Center in the Miami area. Customs is now undertaking a 25 million dollar construction program for C3I centers.

And finally, the border system operates a regional center in Miami.

I guess my question is, it boils down to this. Who—and it's not a facetious question—who is in charge or coordinating the interdiction agencies in the South Florida area? And what role is the border system playing in that the other agencies are not?

Admiral THORSEN. That's, I guess, a rather broad preamble to your question; and I don't mean that in a facetious way at all.

Senator BIDEN. No.

Admiral THORSEN. But I'm not quite sure I understand what the OTA report means because——

Senator BIDEN. I'm not sure either. That's the reason for the question.

Admiral THORSEN. To my knowledge we don't operate a C3I center in the Coast Guard. We certainly don't here in the Seventh District in Miami. Why on earth should we? We're on the same floor as NNBIS. NNBIS does it for us.

Senator BIDEN. So it doesn't. The source of that question was the Florida War On Drugs, by the Office of Technology Assessment; and the date is March——

Admiral THORSEN. I've seen the testimony. I haven't studied it.

Senator BIDEN. I'm not suggesting you should, because I may be wrong. That's the reason I asked the question.

It says:

> Command and Control. Effective drug interdiction requires the capability of rapid information change and reliable, secure and quick command and control operations. The Customs Air Branch, Customs Marine Branch and Coast Guard each have their own Command and Control Centers and networks. The Coast Guard has a nation-

wide command system that is probably the most comprehensive in coverage. Customs Air——

So I assumed that——

Admiral THORSEN. Perhaps I understand what they mean. I have an operation center in the Seventh District. We are in the business of search and rescue, pollution response, drug interdiction, law enforcement of other laws, et cetera. And I have a 24-hour-a-day manned operation center. It happens to be on the same floor at the opposite end of the corridor from NNBIS. I do not have an intelligence section of that operation.

Senator BIDEN. I see.

Admiral THORSEN. No, sir. I have NNBIS.

Senator BIDEN. Okay.

Admiral THORSEN. If there's a National one, perhaps Admiral Thompson could discuss it. Coast Guard headquarters has an intelligence center; but as far as down here in the southeast, the Coast Guard doesn't operate one because we operate very, very closely with NNBIS and we rely on NNBIS to provide the intelligence.

Senator BIDEN. All of us up here have been big boosters of both increased appropriations for the Coast Guard which most people think they're part of the Department of Defense, as you know.

Admiral THORSEN. It's not the first time we've heard that.

Senator BIDEN. You can believe it or not; my point is, you get the short end. It's always a fight to get more.

I remember Senator Chiles was trying to get some aircraft two years ago. You would have thought—Colleagues were actually coming up and saying "we just increased the defense budget *x* amount of dollars," you know. So—and also strong supporters, all of us, have increased funding for Customs.

Now, I sometimes get the following questions asked of me.

What's the difference between what you-all do? How do you respond to the criticism or the questions raised as to—not in a broad sense, "What's the difference what you-all do," but "Who is in charge of tasking operations where there is an overlap?" And there are clearly overlaps.

Does Customs, figuratively speaking, get up in the morning and say "this is going to be our target for today"? "This is what we're going to do"?

And does Coast Guard know what they are? When you send your aircraft out does Coast guard know where they're going? Are they coordinated? Do you coordinate the movements of the new vessels that we saw today that you were nice enough to take us out on and with Customs?

Tell us about—I ask this of Customs. Tell us about coordination.

Mr. HEAVEY. Senator, I'd like to just give you the background on some of the Customs centers in the Southeast region.

The C3 is a radar detection targeting tracking system. It does have coordinating capabilities for air, the air threat.

The Blue Lightning Operation Center——

Senator CHILES. What do you mean, coordinating capabilities?

Mr. HEAVEY. The Customs C3 center has the capability to communicate with NNBIS, with the OpBAT center, with the Blue Lightning Center.

Senator BIDEN. I'm not being smart. You could probably communicate with me at home too; but do you?

Mr. HEAVEY. Do they? they do. I don't have the statistics——

Senator BIDEN. I mean on a regular basis. How tightly coordinated is it? Do you understand what I'm trying to get at?

Mr. HEAVEY. Yes, I do. To distinguish between that and Blue Lightning, Blue Lightning is a marine focus. That too, although it's computer generated, it uses a different type of radar.

The C3 uses tethered balloons or aerostats. Blue Lightning uses condo radars looking again at marine targets.

Is there some overlaps and redundancy? Not necessarily.

Is there the need to create an environment which would represent a conduit for collection, targeting, tracking? Yes, which led the Customs Service to make the decision several years back for a C3I center. This verbiage—Command, Control, Communications and Intelligence.

We have agreed, through the forum, the Drug Policy Board, we have agreed to create a C31 center to eliminate the perception of redundancy in these coordinating mechanisms here in South Florida, to be managed jointly with the Coast Guard, between Customs and the Coast Guard, to share assets, to share resources, to command, control and communicate.

What will it have? It will have collection, hardware, it will use those same radars. It may use other intelligence mechanisms to feed into it to coordinate a joint forces approach against the air and sea threat.

Senator BIDEN. As my dear old Mom would say, why not just have one outfit do it? Why not just have, you know, double the resources of the Coast Guard to do it or double your resources and have you do it? Why the need to—it's like having, you know, the arguments we have in all our jurisdiction. At least up my way. We have a county police department, a State police department and a city police department. The city's within the county, the county's within the State, and usually it takes about six years to figure out who can show up at an accident scene. That's more complicated, it seems to me.

Why do we need you, Customs, having aircraft? Why not—I mean, I'm not being facetious—why not just give more aircraft to the Coast Guard and have them tell you-all what's going on? What's the answer to that?

Mr. HEAVEY. The answer is the United States Customs Service mission and its responsibility for interdiction, whether it be by land or sea or air——

Senator BIDEN. Well, we make the law.

Mr. HEAVEY [continuing]. Or commercial cargo.

Senator BIDEN. You're looking at at least three—you know, why?

Then let me ask it of the Coast Guard. Why not just leave it to Customs?

Admiral THOMPSON. I think—you used the term "we have to make sure somebody responds to the accident."

One of our other jobs, of course, to apply whatever resources are available when Mother Nature hits or we have some SAR case out there. So that was the genesis of our command and control organization.

That's why we have the hardware that we do, the resources, both the aircraft and the ships. What we're doing is applying some additional aircraft and some current aircraft in a role of participating in the air problem because it's a overwhelming problem and there just aren't enough resources.

Senator BIDEN. See, there isn't any question there's not enough resources. Seems to me when there's not enough resources, what you do is to target the resources.

I'm a little confused as to why—for example, you don't have much of a fight with the military, because they don't want to do anything. And they've been dragged, kicking and screaming, into the process. And in a sense that's to their credit, strangely enough. They want to stay out of that business.

Now, we thrust the Coast Guard into the business and you weren't looking for it, we gave you everything to take care of—we went from three miles to twelve miles, then we said in terms of not just drugs, I mean everything. We want you to do everything, and make sure that toxic waste isn't dumped off my shore at 101 miles out.

We want to make sure that offshore oil rigs are working properly. We want to make sure there's safety on the high seas.

Now we said, "By the way, nothing else to do, track down those drug traffickers." And I'm just wondering why——

It seems to me that when the Customs Commissioner was allegedly reported as having opposed that roles and mission assignment, insisting that Customs share if not lead in the battle up to twelve miles offshore.

The Drug Enforcement Administration has also been complaining to friendly law makers—you're looking at one—that Customs personnel are pushing into its area of authority, even its responsibility overseas. And DEA hopes for a clearer version of what role wold keep Customs out of its traditional law enforcement sphere.

I guess it just seems to me that this is an example where the Services should act together because we are trying to get aircraft, radar, and other equipment from the Navy and Air Force.

We can redefine the law for you. We can say that your authority does not exceed beyond the high water mark. I'm not being smart when I say that, to Customs, that is.

And we can just—you physically be on shore, and give all the additional resources for interdiction to the Coast Guard.

Why doesn't that make sense?

Senator CHILES. We do have a decision coming up that the President needs to make by May 13th as the deadline imposed to buy the provisions Senator Nunn put in a bill last year. The President is supposed to give Congress his decision who will be the lead agency in the effort to halt the flow of drugs into the United States.

Senator BIDEN. I don't mean just lead agency. I understand that. I'm going beyond that. There's a difference between "lead" and "primary."

I'd like to hear from Customs why they think they should be in that business beyond what the law says now. Is it something you-all want to do? I'm not being smart. I'm being very serious.

Mr. HEAVEY. Yes, it is, Senator.

Senator BIDEN. Why? Why do you want to do it?

Mr. HEAVEY. We feel that what we are getting out here may truly extend past just the legality, the law of the mission, the authority, the responsibility to act, responsibility for Customs Service to pursue its interdiction role.

What it boils down to, the Customs Service is living by its level of participation in joint mechanisms leading to interdiction, leading to warding or preventing the drug smuggling threat and working at and within the recognized policy levels forums such as the Drug Policy Board.

We await that decision, decisions that there have been a host of meetings, by the way, that I'm not privy to as a Regional Operational Manager, concerning drug enforcement strategy, which will include interdiction and such terms as lead agency or primary agency.

We await the outcome of the Drug Policy Board decisions.

Senator BIDEN. You defend your agency well. That's a good enough answer to make you an Ambassador as far as I'm concerned. But I guess you are in a tough—I don't know how you answer the question.

Let's move to air interdiction. Once again several agencies are operating air interdiction programs, Customs, the Coast Guard, in a limited extend DEA. All operate interdiction wings.

Anybody want to tell me why we need so many interdiction wings? Why can't the Customs Service do that for the Coast Guard? And for the DEA?

Admiral THOMPSON. Speaking for the Coast Guard, Senator, I think that we have a need to know what's happening on the high seas out there, on the high seas and above the high seas in terms of surveillance. That's our responsibility for all the applicable Federal laws.

I don't want to confuse "resource ownership" and "lead agency," which I'm not sure I could define; but we, in terms of a search and rescue incident, for example, have forces that operate in support of us.

This last weekend, bad weather conditions off the middle Atlantic coast, and we had Navy, Marine Corps and anybody else that could—we guide that operation out there, and they operate in support of us during that process.

And that's what I would see as a possible solution in terms of somebody's in charge of that area of responsibility has the accountability to make sure it's done out there.

Senator BIDEN. Well, you know, that's true. And I don't disagree with that.

But that's a little like saying that Customs is flying out around there and they see that garbage trawl dumping stuff over the side. That's not—doesn't happen on the Customs watch. I hope they pick up the phone and call you-all and tell you it's happening, though.

Admiral THOMPSON. I'm confident they would, under the cooperative efforts that we have with Customs air and our own people.

Senator BIDEN. Okay. Well, as I said, I'm keeping this going longer than—not necessarily than I should, mind you, but than we agreed to.

I will save some of my questions for DEA. I did want to get into the Bahamas. I promised to talk a little about what progress, if any, you thought was being made over there.

1986 was bumper crop for international drug production, as you all know; opium up 39 percent to 2,000 metric tons; coco leaf up 10 percent to 170,000 metric tons; marijuana nationwide up 24 percent to 11,500 metric tons.

These are substantial increases. Obviously we need to do a great deal more. You're stretched to the limit. I know you're all breaking your necks.

One of the points I would just make is that I think some testimony to your success in South Florida has been we're having greater problems in Delaware and in North Carolina. And in South Carolina. And I'm not being smart. I mean it sincerely.

One of the problems is that we don't have—I don't think our overall national effort is sufficient. I think you're doing as good or better job than any place in the country. You have the greatest difficulty; and ironically, just as when marijuana is down in this area, it's a measure of success. If my numbers are correct, it's up nationally. So it means that it's sought a new level.

And so literally, as your colleagues can tell you, in North Carolina five years ago they weren't worrying about patroling the shore. Now it's coming off the shore.

In Delaware we have 105 miles of coastline, only about 28 of it on the sea, but in the bay. It's all coming in there now, too.

So your success has been—we're going to have to figure out how to plug this a little more.

But I should plug this hearing, I guess at this point, by stopping and thanking all of you for the good work you are doing and assure you that I know it comes as no surprise to you—but there's going to be a lot more the remainder of this year on this coordination question, in Washington.

And as I used to say in other context, I wish you all luck. And May the best agencies begin to prevail on some of it.

I appreciate it, and ask my colleagues if they have any comments?

Senator CHILES. I think not.

Again I want to thank our witnesses for their attendance today.

Senator GRAHAM. I'll just say that I think the line of questions the Chairman has just been following which underscores the fact that our tactical approach to this is to try to use existing resources, to me, even more underscores the necessity for there being some strategic goals and measures of accomplishments so that you can determine whether that strategy of extending existing resources is accomplishing our objective.

I hope, Mr. Chairman, that we could pursue that question further.

Senator BIDEN. I guarantee you we will pursue the question.

And I shall close the hearing on the note that used to be a joke: I'm from the Federal Government, I'm here to help you. [Laughter.]

We're all, all of us, all seven of us from the Federal Government, we're here to help; and we're going to figure out how to do it collectively.

And I thank you all very much. Thank you. Hearing is adjourned.

[Thereupon the Committees recessed to reconvene at the call of the Chair.]

APPENDIX

DEPARTMENT OF LEGAL AFFAIRS
OFFICE OF THE ATTORNEY GENERAL
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH
Attorney General
State of Florida

STATEMENT BY
FLORIDA ATTORNEY GENERAL BOB BUTTERWORTH
JOINT HEARING OF THE U.S. SENATE CAUCUS ON
INTERNATIONAL NARCOTICS CONTROL
AND THE SUBCOMMITTEE ON FEDERAL SPENDING,
BUDGET AND ACCOUNTING
MIAMI-DADE COMMUNITY COLLEGE
MIAMI, FLORIDA
MAY 4, 1987

I WOULD LIKE TO THANK YOU FOR INVITING ME TO PARTICIPATE AT THIS HEARING TODAY. YOUR COMING TO FLORIDA DEMONSTRATES THE HIGH PRIORITY YOU ARE GIVING THIS SUBJECT AND I AM BOTH PLEASED AND GRATEFUL FOR THAT.

I WILL DEFER TO OTHER MEMBERS OF THIS PANEL TO DISCUSS SPECIFIC FACTORS CONTRIBUTING TOWARD EFFECTIVE COORDINATION BY THE FEDERAL GOVERNMENT AND THE STATES IN THE FIGHT AGAINST DRUG TRAFFICKING. INSTEAD, I WOULD LIKE TO OFFER BRIEFLY A FEW THOUGHTS ABOUT OVERALL POLICY AND WHY I BELIEVE IT IS ABSOLUTELY ESSENTIAL FOR THE FEDERAL GOVERNMENT TO ASSUME A BOLDER ROLE IN DRUG-RELATED ENFORCEMENT.

TO BE BLUNT, DRUG TRAFFICKING IS A NATIONAL PROBLEM AND ITS ERADICATION SHOULD BE A TOP FEDERAL PRIORITY. IF IT IS NOT, THEN WE HAVE VIRTUALLY NO HOPE OF SIGNIFICANTLY SLOWING THE DRUG FLOW, BECAUSE STATE AND LOCAL LAW ENFORCEMENT AGENCIES HAVE NEITHER THE AUTHORITY NOR THE TOOLS TO DO WHAT IS REQUIRED.

EACH PLASTIC BAG OF COCAINE OR BALE OF MARIJUANA THAT ENTERS THIS COUNTRY REPRESENTS A FAILURE. IT IS A FAILURE OF THIS NATION TO PROTECT ITS BORDERS. PROTECTION OF OUR BORDERS, OF COURSE, IS A FEDERAL FUNCTION. WE CAN EXPECT THE STATES TO ASSIST, BUT THE CUSTOMS CHECKPOINTS IN OUR PORTS AND AIRPORTS OPERATE UNDER THE AUTHORITY OF FEDERAL LAW, NOT STATE STATUTES.

AT THE LEAST, I SUGGEST, THE FEDERAL GOVERNMENT SHOULD DEVOTE AS MUCH ATTENTION TOWARD INTERCEPTING ADDICTIVE CONTRABAND AT OUR BORDERS AS IT DOES TOWARD INTERCEPTING ILLEGAL ALIENS. ILLEGAL IMMIGRATION, WHATEVER PROBLEMS IT MAY GENERATE, DOES NOT CAUSE THE DEATH AND DESTRUCTION AMONG OUR CITIZENS THAT COCAINE AND OTHER ILLICIT IMPORTED SUBSTANCES CAUSE.

HERE IN FLORIDA, LAW ENFORCEMENT AGENCIES AT ALL LEVELS DO THEIR BEST TO STOP THE FURTHER DISTRIBUTION OF DRUGS ONCE THEY HAVE PENETRATED OUR BORDERS. THE FLORIDA HIGHWAY PATROL, FOR EXAMPLE, HAS GIVEN A TOP PRIORITY TOWARD A PROGRAM AIMED AT PREVENTING OUR INTERSTATE HIGHWAYS FROM BECOMING COCAINE EXPRESSWAYS. BUT THE FACT REMAINS THAT AN ESTIMATED 70 PERCENT OF THE COCAINE AVAILABLE IN THIS COUNTRY PASSES THROUGH FLORIDA. LOCAL AND STATE LAW ENFORCEMENT AGENCIES, IN FLORIDA AND OTHER STATES, ARE SEVERELY HAMPERED IN THEIR INVESTIGATIONS WHEN THAT CONTRABAND IS MOVED ACROSS STATE LINES. THE BULK OF THE TRAFFICKING, THUS, IS AN INTERSTATE PROBLEM. AND THE FEDERAL GOVERNMENT, AGAIN, IS BEST EQUIPPED TO CONTEND WITH THAT.

THE VAST MAJORITY OF THE TRAFFICKING THAT OCCURS IN THIS STATE HAS ORIGINS IN OTHER NATIONS. THIS IS ONE MORE ASPECT THAT CAN BE EFFECTIVELY ADDRESSED ONLY BY THE FEDERAL GOVERNMENT. STATE AND LOCAL LAW ENFORCEMENT IS HARDLY IN A POSITION TO PURSUE ITS CASES ACROSS INTERNATIONAL BORDERS.

As sheriff of Broward County, my office and other agencies attempted some seven and eight years ago to pursue investigations of drug dealers into the Bahamas. Those islands are virtually suburbs of Fort Lauderdale. The coastline of Broward County is about as close to the west end of the Bahamas as it is to the western boundary of the county. The State Department was not pleased with our activities. In those days, the involvement of the State Department and many other federal agencies in the fight against drug-trafficking was considerably less than it is today. In fact, the involvement of the State Department and the military was virtually non-existent, with the exception of limited activity by the Coast Guard.

In recent years, the efforts in Florida by the Drug Enforcement Administration, the Coast Guard, the Internal Revenue Service and other federal agencies have been commendable, indeed. But it has been proposed that the funding for these efforts be reduced. I think this would be a grave error, one whose effect would reach well beyond Florida throughout the rest of the country.

I am told it has become a cliche to describe the drug situation as a "war." But in terms of the destruction drugs are causing in our society, make no mistake but that we are in the equivalent of war. It is a war we will lose without a bold commitment from Washington.

A KEY STEP TOWARD MEETING THAT COMMITMENT WOULD BE THE CREATION OF A CABINET-LEVEL NARCOTICS OFFICE, AS PROPOSED IN YOUR LEGISLATION. SUCH A PROGRAM, IN MY VIEW, WOULD GIVE US A MECHANISM FOR THE NATIONWIDE AND INTERNATIONAL COORDINATION THAT IS SO ESSENTIAL.

WHETHER IT SHOULD BE TERMED WAR OR OTHERWISE, WE ARE IN A VERY DANGEROUS FIGHT, ONE WHICH DEMANDS THAT WE POOL OUR RESOURCES IN PURSUIT OF OUR COMMON ENEMY. AND I THINK OUR CITIZENS EXPECT NOTHING LESS.

THANK YOU.

Robert R. Dempsey

Commissioner

Florida Department of Law Enforcement

Mr. Chairman, I appreciate the invitation to participate in these hearings before the Senate Caucus on International Narcotics Control and the Subcommittee on Federal Spending, Budget and Accounting regarding the problem of illicit trafficking of drugs in Florida. I have presented testimony regarding this subject several times in the recent past, and many of my thoughts and concerns are currently "part of the record."

In Florida, arrests for drug sale and possession have increased in 1986 with cocaine availability and usage being the main factor. Arrests for cocaine in 1986 increased by 50.5 percent with 28,629 arrests being made. In addition, marijuana arrests increased by 41.5 percent with 23,538 arrests being made. In all, 56,720 drug arrests were made during 1986 (an increase of 28.4 percent).

Also, cocaine overdose deaths have almost doubled in Florida. From January 1 through June 30, 1986, 60 cocaine deaths were reported by the District Medical Examiners' Offices. However, from July 1 through December 31, 1986, the number of deaths have increased to an additional 116, bringing the death total due to cocaine overdose in Florida to 176 for 1986. These numbers only reflect the cocaine overdose deaths and do not represent the cocaine contributed deaths which occur in traffic accidents or violent crime.

The increase in drug usage, addiction and availability will continue to dramatically impact the crime rate within Florida. Law enforcement experts have associated the increase in criminal activity to the drug

problem: many street crimes are committed either while the offender is under the influence of drugs or to support an offender's drug habit. In fact, law enforcement experts estimate 50 to 60 percent of all crimes are related to drugs.

Dade County, Florida, reported that 90 percent of a recent sample of arrestees had drugs other than alcohol in their system at the time of arrest. During the first five months of 1986 in Dade County, motor vehicle theft increased 23 percent, robbery increased 19 percent, and burglary increased 12 percent over the same time period for 1985. Experts believe this astounding increase can be attributed to crack cocaine and other illicit drugs which motivate users to commit crimes to support their habit.

In addition, the Florida Department of Law Enforcement conducted a survey regarding the impact of "crack" cocaine in Florida with the assistance of the 67 county sheriffs and 307 police chiefs from throughout the State. This survey was conducted in July 1986, and again in April 1987, as a follow-up. Both studies indicated that "crack" cocaine continues to be a significant problem to the citizens of Florida. Efforts are under way to develop initiatives to attack both the supply and demand side of drug abuse and availability through coordinated law enforcement efforts, education and community involvement.

The drug problem in Florida has been well-described and is well-known. I have long viewed the problem as one in which the Federal Government

has a direct and obligatory responsibility. I say this inasmuch as Florida's problem is so clearly related to a national demand for drugs and to its strategic location as a major drug import point into the U.S. Acknowledging that demand reduction programs are the critical but long-range answer, my comments today relate to attacking the supply and distribution networks.

I support what has been referred to in the press as the "Drug Czar." This position would allow closer coordination of the federal drug enforcement effort, eliminating barriers and "turfism" among agencies which at times exist even with the best intentions. We at the state and local levels have long known that this attack requires more than we alone can muster. The intensely alluring profit and the national/international movement defies our capabilities. Without a strong and coordinated federal involvement, we have no hope of overcoming the availability of illegal drugs.

The Coast Guard and Customs Service have been impressively active, and some military assistance has been evident. Programs such as NNBIS, Blue Lightning, and minimal military involvement have met with limited success, but much more is needed. More drugs have hit our shores and streets than ever before. I remain frustrated when I regularly see drug-laden vessels and aircraft infiltrating our state undetected. I am frustrated when I perceive the restricted employment at best, and in actuality a reluctance, on the part of increased military detection capability in this effort. Gentlemen, many people have referred to the drug issue as being a war. However, a war requires a national

commitment and thus far none has been made. Military assistance is needed and is necessary. Appropriate funding commitments to the major interdiction agencies cannot be diluted. More multi-agency operations must be engaged. More commitment of military support to interdiction efforts and to protection of our shores must be made available. We have the technology, but lack the degree of commitment to be successful.

We are not asking the military to make arrests or searches and seizures. We are not asking them to neglect their obligations to national defense. We are asking that their resources assist by greater coordination and support, particularly with interdiction agencies, in the detection process. This assistance could be provided during routine training exercises with minimal additional operational cost being required. A point on national defense, what greater threat do we face than the drug problem and the debilitating effect that it has had on our citizens.

Once drugs are in our country, the resources required to deal with the street crime and other human deprivation far exceed the budget required for pre-border eradication and interdiction efforts. An increase in interdiction agencies' and military involvement at this level, I believe, will represent an avoidance of many more dollars which will be spent once the drugs are on our streets. The law enforcement and numerous social service resources which are responsible for many important areas, but which are now disproportionately directed to the area of drug and drug-caused problems, can then be redirected to address other critical problems facing our citizenry.

The 1986 Anti-Drug Abuse Bill was certainly a step in the right direction toward providing assistance to both state and local governments to combat the growing drug abuse problem. However, this effort needs to continue without the threat of loss of future funding. Drug interdiction is a long-term issue, and a long-term commitment must be made by federal, state and local governments. Florida has become the cocaine distribution center of the United States with 72 percent of the total U.S. cocaine seizures being made within the state. However, of the $225 million to be distributed nationwide for criminal justice programs, only $7.5 million were allotted for use within Florida from the Anti-Drug Abuse Bill. We must remember that the "Florida drug problem" becomes the "nation's drug problem." The funding needs to be proportionately distributed in relation to the problem encountered state by state.

Currently in Florida the drug war continues. Federal, state and local agencies are working together on a daily basis to combat drug smuggling. Furthermore, the law enforcement sector works with community representatives such as educators, clergymen, civic groups, etc., in an effort to inform the public of the dangers of drug abuse as well as solicit their assistance in dealing with this serious issue. Many long-term investigations are under way to attack the complex nature of drug smuggling groups with numerous successful cases being achieved. Also, several marine and air interdiction projects have been implemented with the assistance of federal, state and local law enforcement agencies. These interdiction efforts will continue as new innovative approaches can be developed. The Florida Department of Law Enforcement has

implemented the integrated approach to combat organized crime program to impact major narcotics importation groups. This program uses a multi-faceted approach involving the enforcement, regulatory, civil and prosecutorial communities together in an effort to disrupt and dismantle major organized criminal groups. This approach has been in the past and continues to be effective in Florida. Communication among law enforcement agencies continues to improve with many drug task force operations under way with many more expected. The information being generated through such investigations is being shared by local agencies for use in ongoing investigations as well as future endeavors statewide (FIC).

The problems associated with drug abuse are a nationwide problem. Federal, state and local governments must continue to work together. By means of special funding, better communications and a total commitment made by all, we will be better able to combat this problem.

JANET RENO, STATE ATTORNEY OF DADE COUNTY

Mr. Chairman, Members of the Committee,

I would like to thank you for this opportunity to address you.

By way of introduction, from 1979 until February of this year I was an Assistant State Attorney in Dade County, Florida. From 1984 until February of 1987, I was Chief Assistant State Attorney for the Felony Division, supervising Dade County's felony prosecutors. In February of this year, I was appointed by Florida Attorney General Bob Butterworth to be Florida's first Statewide Prosecutor. The Statewide Prosecutor is responsible for investigating and prosecuting organized crime cases that impact on more than one judicial circuit, including cases involving large drug trafficking organizations.

From my experience in Dade County and more recently as Statewide Prosecutor, I have come to realize what many others have said, that the drug problem has incredible impact on the lives of Americans every day. Studies in New York, Washington, D.C., and, most recently, here in Dade County demonstrate what many of us suspected, that there is an extremely strong correlation between crime in general and drugs.

Drug crimes are not victimless crimes. The most obvious victims are the drug users themselves, whose lives often are left in shambles. This devastation of course carries over to those who love and care for them. But the drug problem also

victimizes many others, the people whose homes are burglarized for money to buy drugs, those who are injured by drivers high on drugs careening down our highways oblivious to what is around them, people who stay locked in their homes in isolation for fear of street crime and, indeed, every taxpayer who must finance a judicial system overloaded because of drug and drug related offenses. Thus, we are all victims of drugs.

Drugs are clearly a national problem. They affect the quality of life in all parts of the country. They flow in great quantities across our borders day and night. So we look, as we must, to the federal government to address the problems, problems that no one state or area can solve on its own.

For too long, Florida has been left alone on the front lines of the drug war. Because of geography we are the entry point for the majority of the cocaine coming into this county. Also because of geography, we will never completely stop the flow of drugs. There are simply too many shorelines and the airspace is too large. Florida has been forced to allocate huge amounts of its law enforcement resources to fighting the drug war for the benefit of the rest of the country. Our state criminal justice system, for years, has had to cope with handling drug cases of a dimension unheard of in the rest of the country. We have done our best. Florida has imposed stiff sentences for those who traffic in drugs. Because of our limited successes, we now find ourselves with overcrowded jails housing more and more international drug traffickers serving mandatory sentences. We

are forced to release some other inmates early while we continue to pay the tab for the rest of the country because we must incarcerate a disproportionate share of the nation's smugglers. Florida has reacted by increasing funding for prosecutors and judges, yet much more is needed.

Not only does this situation drain Florida's financial resources, but it also drains our human resources. Since so much of the nation's cocaine supply passes through Dade County, cocaine is cheaper and is therefore more accessible than in the rest of the nation. It is cheaper for high school kids to get crack than a six pack of beer. This impacts on an entire generation and tears at the very fabric of society. Completing the circle, the human impact leads us back to the financial impact, in light of the increased need for drug treatment facilities.

In essense, Florida has found itself in a situation in which, because of the quirks of geography, it has had to cope on its own with the curse of a nation.

Florida cannot and should not be forced to wage the war on drugs alone; a coordinated effort by all levels of government is necessary.

In the past, federal/state cooperation has been uneven in Florida. In some places, federal and state law enforcement agencies work well together. In other places, they do not. While individual personalities obviously have something to do with the success rate, there are other factors that play a major role.

Here in South Florida, the level of cooperation between state and federal law enforcement has been excellent. The Dade State Attorney's Office and the United States Attorney's Office have worked exceptionally well together. The success in large part, is attributable to State Attorney Janet Reno and United States Attorney Leon Kellner. Also, all involved have come to learn the limitations of Florida's state court system in handling large complex narcotics cases. Florida's criminal discovery rules, public records laws and appellate decisions seriously hamper local law enforcement's ability to conduct proactive narcotics investigations and to bring cases to trial within a reasonable time period. Therefore, various investigations have been jointly handled and then prosecuted in federal court. This should be continued and expanded upon.

There are other places where the cooperation has not worked as well and improvements are needed. Hopefully, my new office can help in this area. Because the jurisdiction of Florida's Statewide Prosecutor overlaps all twenty (20) State Attorney's offices and all three (3) United States Attorney's offices, we will hopefully be able to increase the flow of information and trust and thus improve cooperation at all levels of law enforcement.

I am not naive. The office is not a panacea. We still have a long way to go. Future cooperation depends on many things one of the most important of which is funding the United

States Attorney's offices sufficiently so they can continue prosecuting narcotics cases that might under other circumstances be a state concern.

In 1975, when I was a second-year law student, I watched my first criminal trial from start to finish. It was a case handled by the United States Attorney's Office here in Miami. The prosecutor, one of the office's most experienced even then, is still with the United States Attorney's Office today. His present salary as reported by The Miami Herald is a disgrace. Today he is paid in the $60,000 range to handle some of our nation's most difficult criminal cases. In contrast, the Dade County Attorney's Office pays its top zoning lawyers over $100,000. It simply is not fair. We take advantage of people's dedication by not giving them the money they deserve. Moreover, we not only underpay our prosecutors, but we also give them huge case loads against a defense bar with unlimited financial resources. It is only a question of time before and we lose these good people due to burn-out.

The federal government must also assume responsiblity in other areas. Florida should not have to cope with incarcerating international smugglers without assistance. Many of these illegal aliens present significant escape risks and security must be heavy. We must have help.

The federal government must recognize its financial responsibilities with regard to to the law enforcement and prosecution functions of Florida and other states that are forced

to bear a disproportionate share of the cost of the war against drugs. Just as no state has to bear the burden by itself when it is devastated by a flood or a volcano, no state should have to deal alone with the devastation of drugs. As I have mentioned, additional money is needed for federal prosecutors in Florida. The federal government should also supplement Florida's local law enforcement effort as well. Money is also needed for education and treatment since a long-term solution to the problem must also deal with the human aspects of the problem. Obviously, projects have to be prioritized and therefore the idea of one person coordinating the national drug effort would be welcome.

The key is we must all work together. We need your help.

Thank you.

PREPARED STATEMENT BY DIRECTOR FRED TAYLOR
METRO-DADE POLICE DEPARTMENT

TO

THE SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL
AND THE SUBCOMMITTEE ON FEDERAL SPENDING, BUDGET
AND ACCOUNTING OF THE SENATE GOVERNMENTAL AFFAIRS
COMMITTEE ON MAY 4, 1987, AT 10:00 a.m.

Our experience under the Anti-Drug Abuse Act of 1986 is as yet too limited to comment meaningfully. We are disappointed that the grant funds were divided so extensively as to detract from a meaningful contribution in any one enforcement area. We are requesting a $900,000 grant for enhanced street enforcement with a concomitant study of uniform vs. undercover approach to control. Although only $400,000 is authorized, we hope our program will merit consideration.

The federal government is and should continue to bear responsibility for controlling importation and distribution of controlled substances. State and local governments should continue to be primarily involved in enforcement at the intrastate wholesale and retail level.

State and local departments better serve by concentrating on street retailers and users of narcotics and their wholesale suppliers, and the federal agencies on importation, distribution and conspiracies. Many departments do not like this; everybody naturally wants to work the "big case." I plead guilty to this; with great effort we are trying to exercise the direction necessary to keep us in our most productive area.

At the risk of too simplistic an answer, we feel that the best relationship arises when each does its job. For example, I see no need for the Metro-Dade Police to be a full-time partner with a federal agency. As particular situations arise, temporary commitments or task forces may be desirable. A case in point is the arrest, by the Metro-Dade Police Department and the Drug Enforcement Agency this week of Isaac Hicks. Hicks is allegedly the principal supplier of narcotics to the Black community in Dade County, controlling a large number of retail outlets, as well as, an alleged distributor to other cities in the U.S. Cooperation and coordination between federal agencies and the Metro-Dade Police is excellent. It is based on mutual respect and trust.

The federal government has accomplished a significant achievement by virtually eliminating the killer drug quaalude. We are beginning to see notable success in marijuana elimination. The mother ship has almost disappeared. Seizures now are of a hundred or so pounds - not multi-tons. The price has increased almost six fold. Cocaine remains our most persistent problem. The producing countries have, in our opinion, at least tripled production. Seizures double, arrests increase, but the demand fuels continuing supply.

Demand reduction is one of the keys to solving the narcotics problem. It is our view that educational and rehabilitative forces are beginning to work but need resources at this time to be truly effective. We feel that there will be, this year, a slight, but measurable decline in cocaine use. It will take us many years to turn around the cocaine menace.

Law enforcement is a vital link in solving the drug problem and must continue to be emphasized along with demand reduction. The federal government must face its responsibility, and put resources commensurate to the problem in place.

I am not sure we are qualified to comment on the relationship between the federal agencies. We do observe that in Dade County, DEA, Customs, FBI, Coast Guard and Vice President's Task Force all have a presence in narcotics enforcement. ATF, IRS and other agencies also from time to time are involved. We pose this question. Is not the movement toward formation of Federal Task Forces tacit admission that the federal approach may be fragmented? If so, legislation providing a focal point for direction of resources and policy formation makes a lot of sense.

LEON B. KELLNER

UNITED STATES ATTORNEY

FOR THE SOUTHERN DISTRICT OF FLORIDA

Mr. Chairman, Members of the Committee --

I want to thank you for this opportunity to discuss with you the impact drug cases have on the judicial system in the Southern District of Florida.

The narcotics problem, which I believe is the number one law enforcement priority in this country, has its most direct and immediate impact in the Southern District of Florida and that is reflected in the law enforcement priorities set by my office.

Florida in general and the Southern District of Florida, in particular, is on the frontline in our national efforts to disrupt narcotics trafficking. This is primarily a result of geography - we are the closest point in the continental United States to South America which supplies almost all the cocaine imported into the United States. We have a shoreline in excess of 5000 miles that is literally honeycombed with canals and outlets to the ocean. All this makes South Florida a smugglers' paradise. As a result, we estimate that approximately 70% of the cocaine and marijuana imported into the United States comes through South Florida.

The vast majority of drugs transiting through South Florida are not for distribution on the streets of Miami but are destined for distribution in New York, Atlanta, Chicago and other metropolitan areas throughout the country. The vast majority of the defendants that have been indicted are bringing in drugs for distribution throughout the United States.

Thus, when we seize a ton of cocaine or break up a trafficking organization, the impact is national.

Since 1982, the federal law enforcement presence in South Florida has been substantially strengthened. These enhanced resources have utilized a number of different techniques to address the narcotics problem. Among them are: a new and expanded interdiction effort; increased efforts to identify, penetrate and prosecute major international and domestic narcotics organizations; an increased and unparelled effort to target, penetrate and prosecute the major money laundering enterprises including foreign cartels who launder and remove billions of dollars from this country; increased investigation and prosecution of foreign officials from countries involved in the international chain of drug smuggling; and increased emphasis on the forfeiture of narcotics traffickers' assets, including cars, planes, boats, real property and cash proceeds.

We also recognized that no single agency - be it state, local or federal, could alone successfully deal with the enormous and unprecedented law enforcement task spawned by drug trafficking. For this reason, in 1984 the administration created the Thirteen Regional Organized Crime Drug Enforcement Task Forces (OCDETF) which drew upon the experiences of the Vice President's South Florida Task Force. These regional task forces bring together various federal agencies to deal with the narcotics problem. Equally important, we are also working closely with local and state law enforcement to insure that our scarce resources are utilized as effectively and efficiently as possible.

The increased money and resources dedicated to the drug war has had a direct and immediate impact on the size and quality of our caseload, particularly with respect to narcotics related cases.

For the Fiscal Year ending September 30, 1986, the United States Attorney's Office for the Southern District of Florida commenced more felony cases involving more felony defendants from among the seven largest federal districts in the United States. According to statistics from the administrative office of the courts, the Southern District of Florida indicted 1,368 felony cases involving 2,484 defendants. By comparison, the Southern District of New York commenced 969 felony cases involving 1,554 defendants and the Central District of California commenced 1,022 felony cases involving 1,594 defendants. As of September 30, 1986, the Southern District of Florida had 3,012 felony defendants pending trial which is more than the Southern District of New York and the Northern District of Illinois combined. Narcotics matters represent approximately 50% of the cases and defendants instituted in the Southern District of Florida. This represents both the largest in terms of percent and absolute numbers for any district in the United States. This heavy caseload places a heavy burden on the District Court. According to Court statistics for the year ending June 30, 1986, the Court tried 328 felony jury trials which is almost equal to the number tried in the Southern District of New York and the Central District of California. Moreover, the fifteen judges in this District spent 1,312 hours in jury trials which is exactly the

same as the Southern District of New York. The only difference is that the Southern District of New York has 27 judges and the Southern District of Florida has 15. Eighty-three percent (83%) of the jury trial days in the Southern District of Florida were spent on criminal matters as opposed to a national average of forty-six percent (46%).

However, these numbers do not reflect the total impact narcotics trafficking has on the federal caseload -- not only do we have the largest number of narcotics cases and defendants, we have the largest number of weapons related cases and defendants in the United States. Many of these cases are directly related to the violent nature of narcotics trafficking.

The dramatic impact of narcotics trafficking on my office is evidenced also by the types of cases indicted and tried. Set forth below is a brief description of three of the more significant narcotics cases that have been indicted and/or tried in the past year:

1) UNITED STATES v. ETIENNE BOERENVEEN, ET AL.

The lead defendant, Etienne Boerenveen, Commander of the Army of Suriname, was indicted and convicted of attempting to sell landing, refueling and cocaine transshipment rights in Suriname to undercover agents posing as cocaine smugglers. Prior to this case, intelligence information indicated that the port of Paramosilo, Suriname, had become a major transshipment point for ether, an essential chemical in the manufacturing of cocaine. Mr. Boerenveen was sentenced in November 1986 to 12 years imprisonment.

2) UNITED STATES v. FLOYD CARLTON CACERES, ET AL.

The indictment in this case alleges that the defendant, Floyd Carlton Caceres, headed a transportation organization that moved approximately 3000 kilos of cocaine over a one year period from Colombia, through Costa Rica, into Texas and ultimately to Miami for distribution. Six of the defendants have pleaded guilty. Three of the co-defendants, including two ranking Costa Rican Army officers, are being prosecuted in Costa Rica. This is the first Costa Rican prosecution of a narcotics case based upon evidence gathered by a foreign country. The defendant, Carlton-Caceres, who was extradicted from Costa Rica in the fall of 1986 is awaiting trial on continuing criminal enterprise charges.

3) UNITED STATES v. JORGE OCHOA VASQUEZ, ET AL.

In August 1986, a federal grand jury sitting in Miami, Florida indicted nine individuals charging them with violations of a number of federal narcotics laws. This indictment sets forth, for the first time, the nature and scope of the operations of the Medellin Cartel. The indictment alleges that the purpose of the cartel is to coordinate and consolidate the production, distribution and importation of cocaine into the United States. The indictment delineates the numerous illicit and violent cartel practices, including murder, terror, public corruption and obstruction of justice. The indictment alleges that from 1981 to 1985, the cartel was responsible for the production, distribution and transportation of at least 58 tons of cocaine.

I chose to describe these three cases because they are representative of the types of cases this office deals with on a regular basis. These cases do not involve local distribution, but rather attempt to go to the heart of the problem - the organized criminal entrepreneurs who are flooding this country with illicit narcotics. When law enforcement agents seize narcotics and my office seeks indictments of members of narcotics organizations, we are, hopefully, stemming the tide of narcotics to the rest of the United States. This is not a local problem - but uniquely a national one. What law enforcement does in South Florida has an impact on the rest of the United States because the narcotics, seized here and the defendants arrested and indicted here are a major part of the narcotics distribution chain to the rest of the country. Unfortunately, South Florida traditionally has been and remains the entry point for a majority of the narcotics entering the United States.

What these cases also point out is that it is absolutely imperative to have international cooperation. It is unfortunate but true that foreign public officials have been bribed to allow their countries to be used as way stations for the shipment of narcotics into the United States. It is only through international cooperation that we can disrupt these supply lines.

I would be remiss if I did not mention Operation Greenback before I conclude my remarks. Operation Greenback is a joint operation of agents from Customs and IRS and Assistant United States Attorneys housed at the United States Attorney's Office for the Southern District of Florida. Their function is to

investigate narcotics cases from the money side utilizing the Tax Laws and the Bank Secrecy Act. We recognized from the outset that major traffickers seldom personally handled the importation of narcotics yet they always handled the money. It was felt that by investigating the money side of narcotics transactions, we could penetrate and prosecute the major trafficking organizations. Operation Greenback has compiled an impressive string of successes during their six year existence. These successes are measured not only in terms of indictments and convictions but, equally important, in terms of money seized and jeopardy assessments levied by the Internal Revenue Service. Over the past six years, Operation Greenback has been responsible for the seizure of approximately 80 million dollars and jeopardy assessments in the amount of 137 million dollars.

However, in spite of our efforts and the efforts of dedicated state and local law enforcement officers, the narcotics problem facing this country is not going away. Drug abuse is a national epidemic and despite the record number of seizures, arrests and prosecutions, availability remains high. Our efforts to deal with the tidal wave of drugs flooding our shores are simply not enough. In order to deal with what I believe to be the most serious law enforcement and health issue facing this country today, we must come to grips with the demand side - for without the extraordinary demand for drugs in this country, we would not have to deal with the supply side.

Thank you again for your invitation to participate in this hearing.

GEORGE HEAVEY

REGIONAL COMMISSIONER

OF THE SOUTHEAST REGION

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE, I WELCOME THIS OPPORTUNITY TO APPEAR BEFORE YOU TO DISCUSS CUSTOMS PROGRESS IN THE WAR ON DRUGS AND THE SUBSTANTIAL EFFECTS THAT THE OMNIBUS DRUG ENFORCEMENT ACT OF 1986 IS CONTINUING TO HAVE ON THAT EFFORT. I AM GEORGE HEAVEY, REGIONAL COMMISSIONER OF THE U.S. CUSTOMS SERVICE'S SOUTHEAST REGION. I HAVE HELD THIS POSITION FOR 10 MONTHS.

I SHARE COMMISSIONER VON RAAB'S BELIEF THAT DRUG ABUSE IS ONE OF THE MOST SERIOUS PROBLEMS FACING OUR NATION, AND SINCE BECOMING REGIONAL COMMISSIONER OF THE MIAMI-HEADQUARTERS S.E. REGION, I HAVE DEVOTED MUCH OF MY PERSONAL ENERGY AND THE REGION'S RESOURCES TO DRUG INTERDICTION. DRUG ABUSE AFFECTS THE VERY FOUNDATION OF OUR DEMOCRACY, THE HEALTH AND WELL-BEING OF OUR CHILDREN. AND THE VALUES AND MORALS OF THIS AND FUTURE GENERATIONS. I AM PLEASED TO HAVE A MAJOR ROLE IN COMBATTING THIS PROBLEM AND I AM FULLY DEDICATED TO THE EFFORT.

PASSAGE OF THE OMNIBUS DRUG ENFORCEMENT, EDUCATION AND CONTROL ACT OF 1986. P.L. 99-570, IS ONLY THE MOST RECENT CONGRESSIONAL ACTION PROVIDING STATUTORY AUTHORITY AND RESOURCES FOR DRUG INTERDICTION BY THE CUSTOMS SERVICE. HISTORICALLY, THE CUSTOMS SERVICE HAS ACTED AS THE LEAD FEDERAL AGENCY FOR DRUG INTERDICTION AT THE BORDER. THIS ROLE CAN BE TRACED BACK TO THE EARLIEST LEGISLATIVE DECISIONS OF THIS NATION'S FIRST CONGRESS. THE CUSTOMS SERVICE WAS CREATED BY THE SECOND ACT OF CONGRESS IN 1789 AND GIVEN RESPONSIBILITY FOR THE INTERDICTION OF ALL MERCHANDISE BEING IMPORTED OR EXPORTED CONTRARY TO LAW. THERE ARE NUMEROUS CUSTOMS STATUTES, MANY OF WHICH CAN BE TRACED TO THE SECOND ACT OF CONGRESS WHICH HAVE RESULTED IN OUR HISTORICAL LEAD INTERDICTION ROLE AT THE BORDER. FOR EXAMPLE:

--19 U.S.C. 382: BORDER SEARCH AND SEIZURE AUTHORITY FOR VESSELS, VEHICLES, PERSONS AND MERCHANDISE.

--19 U.S.C. 1467: INSPECTION OF VESSELS, PERSONS AND MERCHANDISE AT SUCCESSIVE PORTS.

--19 U.S.C. 1499: EXAMINATION AND CLEARANCE AUTHORITY FOR ALL IMPORTED MERCHANDISE.

--19 U.S.C. 1581: AUTHORITY FOR BOARDING VESSELS AND VEHICLES, BORDER SEARCHING OF CONVEYANCES, MERCHANDISE AND PERSONS, ETC.

--19 U.S.C. 1582: DETENTION FOR CUSTOMS PROCESSING OF ALL PERSONS ENTERING THE U.S.

--THE ANTI-SMUGGLING ACT OF 1935: VARIOUS AUTHORITIES (IN TITLE 19) CONCERNING CUSTOMS AUTHORITY TO BOARD AND EXAMINE VESSELS.

--REORGANIZATION PLAN NO. 2. OF 1973, 87 STAT. 1091, 1973 U.S.C., CONGRESSIONAL AND ADMINISTRATIVE NEWS 3554. ALTHOUGH THIS REORGANIZATION PLAN CONSOLIDATED PRIMARY FEDERAL DRUG ENFORCEMENT RESPONSIBILITY IN THE JUSTICE DEPARTMENT, IT SPECIFICALLY LEFT THE BORDER DRUG INTERDICTION FUNCTION WITH CUSTOMS.

--THE CUSTOMS ENFORCEMENT ACT OF 1986 PASSED AS PART OF P.L. 99-570 REVISED CUSTOMS ENFORCEMENT AUTHORITIES IT CONTAINS STATUTES EXPECTING OUR INTERDICTION ROLE. FOR EXAMPLE, 19 U.S.C. 1590 WAS ENACTED AS A MAJOR NEW AVIATION SMUGGLING PROHIBITION.

--49 U.S.C. 1509 AND 19 U.S.C. 1644: MANDATES CUSTOMS TO ASSURE THAT CIVIL AIRCRAFT ARRIVING INTO THE U.S. COMPLY WITH ALL CUSTOMS REQUIREMENTS AND LAWS CONCERNING IMPORTS.

THE CUSTOMS SERVICE HAS EXTENSIVE AUTHORITY AND A HISTORICAL TRADITION IN COMBATTING THIS SERIOUS PROBLEM. THIS ACT ADDS TO IT.

4

DURING FY 1986, WISE AND VIGOROUS USE OF THIS AUTHORITY BY CUSTOMS AGENTS, INSPECTORS, MARINE AND AIR UNITS YIELDED SEIZURES OF 52,521 POUNDS OF COCAINE, THIS NATIONS NUMBER ONE NARCOTICS THREAT,AND 692 POUNDS OF HEROIN. THIS AUTHORITY ALSO ENABLED CUSTOMS OFFICERS TO PARTICIPATE WITH OTHER FEDERAL AGENCIES IN THE SEIZURE OF 2,211,068 POUNDS OF MARIJUANA AND 17,555 POUNDS OF HASHISH. EARLY THIS FISCAL YEAR OUR CUSTOMS INSPECTORS IN PALM BEACH SEIZED TWO CONTAINERS WITH 6,900 POUNDS OF COCAINE, THE LARGEST SINGLE SEIZURE OF COCAINE IN U.S. HISTORY.

DESPITE THESE SUCCESSES, THE COMPARATIVE MAJORITY OF WHICH HAVE OCCURRED IN SOUTH FLORIDA, SMUGGLERS HAVE BEEN ABLE TO TAKE ADVANTAGE OF WELL-KNOWN WEAKNESSES, IN CUSTOMS INTERDICITON SYSTEM. FOR EXAMPLE, IN THE PAST, THERE HAS BEEN A LACK OF EFFECTIVE LOW-LEVEL RADAR COVERAGE ALONG THE SOUTHWEST BORDER. THE GOOD NEWS IS THAT THE OMNIBUS DRUG LEGISLATION HOLDS THE ANSWERS TO SOME OF THESE HARD QUESTIONS. AS PER THE DRUG BILL, THE RISK OF APPREHENSION FOR AIR SMUGGLERS ON THE SOUTHWEST BORDER JUMPED DRAMATICALLY ON APRIL 15, 1987, WHEN CUSTOMS TWO E2-C'S EQUIPPED WITH 360 DEGREE LOOK DOWN RADAR BEGAN FLYING OPERATIONAL TRAINING MISSIONS IN THAT REGION. IN OCTOBER 1986, FUNDING FOR FOUR ADDITIONAL SOUTHWEST BORDER AEROSTAT BALLOONS WAS AUTHORIZED IN THE BILL AND IN SEPARATE LEGISLATION. THIS

PRELIMINARY DISCUSSION ILLUSTRATES HOW THE DRUG BILL IS ALREADY HAVING A SIGNIFICANT IMPACT ON THE WAR ON DRUGS. LET ME NOW GIVE THE SUBCOMMITTEE AN OVERVIEW OF HOW CUSTOMS HAS COORDINATED USE OF FUNDS PROVIDED IN THE OMNIBUS DRUG BILL WITH PREVIOUSLY INITIATED ON-GOING PROGRAMS DESIGNED TO ENHANCE NARCOTICS ENFORCEMENT ACTIVITIES.

OMNIBUS DRUG ENFORCEMENT, EDUCATION AND CONTROL ACT ALLOCATIONS

THE OMNIBUS DRUG BILL OF 1986 PROVIDED CUSTOMS WITH $137 MILLION OVER AND ABOVE THE $863.8 MILLION THAT CONGRESS HAD PROVIDED CUSTOMS THROUGH THE NORMAL APPROPRIATIONS PROCESS BRINGING CUSTOMS TOTAL FY 87 BUDGET SLIGHTLY OVER $1 BILLION. OF THE $137 MILLION, $44 MILLION WAS AUTHORIZED FOR THE CUSTOMS SALARIES AND EXPENSE ACCOUNT, AND $93 MILLION WAS AUTHORIZED FOR AIR PROGRAM ENHANCEMENTS. CUSTOMS HAS GONE FORWARD THE HIRING OF ABOUT 1000 NEW PERSONNEL. THE REMAINDER OF THE $44 MILLION IS BEING USED TO PURCHASE EQUIPMENT FOR THE MARINE PROGRAM, INCLUDING MARINE RADAR EQUIPMENT FOR THE GULF COAST, WORTH APPROXIMATELY $3 MILLION, AND $24 MILLION WORTH OF VOICE PRIVACY RADIOS, 1391 OF WHICH ARE GOING TO CUSTOMS OFFICERS ON THE SOUTHWEST BORDER. A PORTION OF THESE FUNDS WILL ALSO BE USED TO ENHANCE CUSTOMS SECONDARY INSPECTION CAPABILITIES AT PORTS ALONG THE SOUTHWEST BORDER.

THE $93.1 MILLION IN ADDITIONAL AIR PROGRAM FUNDS ARE BEING USED IN A NUMBER OF DIFFERENT AREAS OF THE PROGRAM WHICH WILL BE DISCUSSED IN DETAIL LATER IN THIS STATEMENT.

AS YOU KNOW, MR. CHAIRMAN, COMMISSIONER VON RAAB IS GRAVELY CONCERNED ABOUT THE SERIOUS NARCOTICS THREAT ON THE SOUTHWEST BORDER. ACCORDINGLY, THE BULK OF PERSONNEL AND ASSETS PROVIDED BY THE OMNIBUS DRUG BILL HAVE BEEN ALLOCATED TO THE SOUTHWEST SECTOR OF THE COUNTRY. THAT BRINGS ME TO A DISCUSSION OF OPERATION ALLIANCE.

OPERATION ALLIANCE

OPERATION ALLIANCE STARTED IN JUNE 1986. IT FOCUSES EXCLUSIVELY ON NARCOTICS SMUGGLING ALONG THE SOUTHWEST BORDER. COOPERATION BETWEEN CUSTOMS, STATE, LOCAL AND SISTER FEDERAL AGENCIES THROUGH THE SHARING OF AUTHORITY, THE SHARING OF INTELLIGENCE, AND SHARING OF VEHICLES, AND JOINT ENFORCEMENT OPERATIONS, IS THE KEY TO THIS EFFORT.

A JOINT COMMAND GROUP WAS ESTABLISHED IN THE SOUTHWEST REGION CONSISTING OF SENIOR OFFICIALS FROM THE COAST GUARD, CUSTOMS SERVICE, DRUG ENFORCEMENT ADMINISTRATION, FBI, INS/BORDER PATROL AND REPRESENTATIVES FROM ARIZONA, CALIFORNIA, NEW MEXICO

AND TEXAS LAW ENFORCEMENT AGENCIES. THE OPERATIONAL LEADERSHIP OF OPERATION ALLIANCE HAD BEEN ESTABLISHED ON A ROTATIONAL BASIS. THE CUSTOMS SOUTHWEST REGION RAN THE OPERATION DURING ITS FIRST SIX MONTHS. CONTROL HAS SINCE PASSED TO A SENIOR OFFICIAL IN THE IMMIGRATION AND NATURALIZATION SERVICE'S BORDER PATROL.

ALTHOUGH CUSTOMS AND ITS SISTER AGENCIES DEA, AND BORDER PATROL, HAVE A LONG HISTORY OF WORKING TOGETHER ON THE BORDER OPERATION ALLIANCE HAS CARRIED THAT COOPERATION EVEN FURTHER THROUGH CROSS DESIGNATION OF AGENTS FROM A NUMBER OF FEDERAL AGENCIES. ONE-HUNDRED AND FIVE CUSTOMS AGENTS HAVE BEEN CROSS DESIGNATED BY DEA UNDER TITLE 21. TWO THOUSAND INS AGENTS WILL RECEIVE TITLE 19 CROSS DESIGNATION TRAINING IN EIGHT LOCATIONS ACROSS THE SOUTHWEST BORDER BY MAY 30, 1987 (1,300 INS AGENTS HAVE ALREADY BEEN TRAINED).

CUSTOMS BEGAN ALLOCATING RESOURCES TO THE SOUTHWEST BORDER IN MAY OF 1986, WELL BEFORE ANNOUNCEMENT OF OPERATION ALLIANCE. DURING FY 1986 CUSTOMS ALLOCATED AN ADDITIONAL 384 POSITIONS TO THE SOUTHWEST BORDER. SO FAR IN 1987 CUSTOMS HAS ALLOCATED AN ADDITIONAL 563 POSITIONS TO THE SOUTHWEST BORDER FOR A TOTAL OF 947 SINCE MAY OF LAST YEAR.

PURSUANT TO "BLUE FIRE", ANOTHER PART OF CUSTOMS CONTRIBUTION TO OPERATION ALLIANCE, CUSTOMS HAS LOANED 400 RADIOS TO LOCAL AND STATE LAW ENFORCEMENT AGENCIES, 133 GOING TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY ALONE. UNITS IN THESE ORGANIZATIONS CAN NOW COMMUNICATE WITH CUSTOMS AS LAW ENFORCEMENT ACTIONS TAKE PLACE. STATE AND LOCAL LAW ENFORCEMENT AGENCIES KNOW THEIR LOCAL COMMUNITIES AND HAVE SOURCES AND ACCESS TO INFORMATION THAT WOULD BE IMPOSSIBLE TO DUPLICATE.

COMMISSIONER VON RAAB HAS MET WITH MORE THAN A HUNDRED STATE AND LOCAL LAW ENFORCEMENT OFFICIALS FROM FLORIDA TO CALIFORNIA TO ENLIST THEIR SUPPORT. CUSTOMS IS ACTIVELY GAINING LOCAL AND STATE ALLIES THROUGHOUT THE ENTIRE NATION NOT ONLY BECAUSE WE ARE PROVIDING THEM VOICE PRIVACY RADIOS FOR THEIR CARS AND TRANSPONDERS FOR THEIR BOATS BUT ALSO BECAUSE OUR COOPERATIVE EFFORTS ARE PRODUCING RESULTS. LOCAL AND STATE AUTHORITIES NATIONWIDE ARE ALSO NOW GETTING MORE OPPORTUNITIES WHILE ON JOINT OPERATIONS WITH CUSTOMS TO OBTAIN ASSETS SEIZED FROM NARCOTICS OFFENDERS.

THE NATIONWIDE INSTITUTIONALIZATION OF CUSTOMS COOPERATIVE EFFORTS WITH STATE AND LOCAL LAW ENFORCEMENT AGENCIES, WHICH IS INDISPENSABLE TO A SUCCESSFUL LONG-TERM INTERDICTION STRATEGY, STARTED WITH THE HIGHLY SUCCESSFUL BLUE LIGHTNING STRIKE FORCE SOUTH FLORIDA IN 1985.

THE BLUE LIGHTNING STRIKE FORCE IS A UNIQUE, MULTI-AGENCY DRUG INTERDICTION TEAM THAT INCLUDES THE U.S. CUSTOMS COORDINATED EFFORTS OF VIRTUALLY EVERY FEDERAL, STATE, COUNTY AND LOCAL LAW ENFORCEMENT AGENCY IN SOUTH FLORIDA THAT HAS MARINE RESOURCES AND A COASTAL JURISDICTION.

THE STRIKE FORCE WAS FORMED IN JULY 1985, BASED ON THE SUCCESS OF "OPERATION BLUE LIGHTNING," A HIGHLY PRODUCTIVE MULTI-AGENCY OPERATION THAT FOCUSED ON INTERDICTING DRUGS BEING SMUGGLED FROM THE BAHAMAS TO SOUTH FLORIDA. INITIALLY, THE BLUE LIGHTNING STRIKE FORCE INCLUDED 17 STATE, COUNTY AND LOCAL LAW ENFORCEMENT AGENCIES WORKING WITH FEDERAL AGENCIES: TODAY THE BLUE LIGHTNING STRIKE FORCE IS MADE UP OF 22 NON-FEDERAL AGENCIES AND SIX FEDERAL AGENCIES, INCLUDING CUSTOMS, THE COAST GUARD, THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS), THE DRUG ENFORCEMENT ADMINISTRATION, THE IMMIGRATION AND NATURALIZATION SERVICE, AND THE NATIONAL PARK SERVICE.

MR. CHAIRMAN, CUSTOMS EMPHASIS ON COOPERATION IS NOT LIMITED TO ITS RELATIONSHIP WITH STATE, LOCAL AND OTHER FEDERAL LAW ENFORCEMENT AGENCIES. INTERDICTION, AS YOU ARE WELL AWARE, IS ONLY ONE PART OF OUR DRUG EFFORT. I AM PROUD TO SAY THAT CUSTOMS ALSO HAS A FINE OUTREACH PROGRAM DIRECTED TOWARD THE PUBLIC.

HERE IN THE SOUTHEAST REGION, WE BEGAN TO REACH OUT FOR CITIZEN HELP THROUGH A PUBLIC AWARENESS PROGRAM BACK IN JULY 1985. WE INITIATED A DRUG TIP HOTLINE (1-800-BE-ALERT) THROUGH WHICH PEOPLE COULD CALL US TOLL-FREE, 24 HOURS A DAY, AND REPORT SUSPECTED DRUG SMUGGLING ACTIVITY. THEY COULD REMAIN ANONYMOUS IF THEY CHOOSE, AND COLLECT A REWARD IF THEIR INFORMATION PROVED PRODUCTIVE. WE MARKETED THE PROGRAM WITH NEWS COVERAGE AND PUBLIC-SERVICE RADIO AND TV ANNOUNCEMENTS, AND EVEN EMPLOYED THE USE OF HIGHWAY BILLBOARDS. WE STARTED THE PROGRAM IN FLORIDA, AND THEN EXPANDED IT TO INCLUDE GEORGIA, NORTH AND SOUTH CAROLINA, VIRGINIA AND WEST VIRGINIA, AND WASHINGTON, D.C.

CALLS HAVE AVERAGED ABOUT A HUNDRED A MONTH, AND HAVE PROVIDED US WITH A WEALTH OF INFORMATION AND INTELLIGENCE WITH WHICH TO COMBAT DRUG SMUGGLERS. AS A RESULT OF SOME OF THE CALLS, WE'VE SEIZED COCAINE AND MARIJUANA, ARRESTED DRUG SMUGGLING SUSPECTS, AND CONFISCATED VESSELS AND AIRCRAFT. IN ADDITION, WE'VE REFERRED HUNDREDS OF CALLS TO OTHER AGENICES, MANY OF WHICH HAVE PRODUCED RESULTS. SURPRISINGLY, MORE THAN HALF OF THOSE WHO HAVE CALLED IN WITH INFORMATION HAVE NOT BEEN INTERESTED IN A REWARD. THEY SAY THEY JUST WANT TO HELP US CATCH DRUG SMUGGLERS.

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IN BRINGING ITS MESSAGE TO THE PUBLIC, CUSTOMS HAS RECEIVED ASSISTANCE FROM MANY RADIO AND TELEVISION STATIONS THROUGHOUT THE SOUTHERN PART OF THE NATION. THESE STATIONS ARE RUNNING PUBLIC SERVICE ANNOUNCEMENTS WHICH HIGHLIGHT CUSTOMS TOLL FREE NUMBER (1-800-BE ALERT) WHICH CAN BE USED TO REPORT DRUG SMUGGLING OR OTHER SUSPICIOUS ACTIVITIES.

HERE IN THE SOUTHWEST REGION, WE ARE CONDUCTING A PROGRAM THAT MAKES CUSTOMS REPRESENTATIVES AVAILABLE TO GIVE TALKS AND PRESENTATIONS ON DRUG AWARENESS TO AUDIENCES THROUGH THE SOUTHEASTERN PART OF THE NATION. THESE CUSTOMS OFFICERS ARE ALSO AVAILABLE TO PARTICIPATE IN RADIO AND TV TALK SHOWS AND PANELS THAT HAVE AN ANTI-DRUG THEME. ADDITIONALLY, WE HAVE CONTACTED ALL OF THE CONGRESSIONAL OFFICES IN THE SOUTWEST REGION TO INFORM THEM OF OUR PROGRAM AND OFFER OUR ASSISTANCE WITH SIMILAR EFFORTS OR PROJECTS OF THEIR OWN.

IN OTHER REGIONS, CUSTOMS HAS INITIATED A YOU CAN HELP PROGRAM THROUGH WHICH CUSTOMS SUPERVISORY PERSONNEL MAKE PRESENTATIONS AND DISTRIBUTE INFORMATION TO CIVIC ORGANIZATIONS, SCHOOLS AND OTHER GROUPS, ON THE PERILS OF DRUG USE AND SERIOUSNESS OF THE CRIME OF DRUG SMUGGLING.

12

THE IMPACT OF THE DRUG BILL ON SOUTHWEST LAND BORDER PORTS HAS BEEN MEASURED MOSTLY IN TERMS OF THE ADDITIONAL PERSONNEL AND CANINE SUPPORT NEEDED TO CARRY OUT INTENSIVE BLITZ OPERATIONS. THE ACT HAS ALSO HAD A SIGNIFICANT IMPACT ON THE CUSTOMS AIR PROGRAM IN TERMS OF PERSONNEL AND ASSETS.

AIR INTERDICTION

AS STATED EARLIER, CUSTOMS AUTHORITY AT OR BETWEEN PORTS-OF-ENTRY IS PREEMINENT. THIS AUTHORITY HAS OVER THE YEARS ENABLED CUSTOMS TO EXERCISE EXTRAORDINARY SEARCH AND SEIZURE POWERS OVER OPERATORS OF GENERAL AVIATION AIRCRAFT AS THEY ENTER THE U.S. FROM ABROAD.

THE RESOURCES THAT CUSTOMS HAS HAD AVAILABLE TO ACCOMPLISH THIS MISSION HAVE GROWN CONSIDERABLY SINCE EARLY 1984. ANNUAL FUNDING HAS INCREASED FROM $31 MILLION IN FY 1984 TO $170.9 MILLION ON FY 1987.

THE OMNIBUS DRUG BILL AND ACCOMPANYING APPROPRIATIONS LEGISLATION PROVIDED CUSTOMS WITH THE FUNDS NECESSARY TO OPERATE TWO E2-C AIRCRAFT, AND TO OBTAIN FOUR ADDITIONAL BLACKHAWK HELICOPTERS. TWO ADDITIONAL HIGH SPEED INTERCEPT AIRCRAFT, AND FIVE ADDITIONAL AEROSTATS. IT ALSO PROVIDED FUNDS NECESSARY TO MODIFY CUSTOMS C-12 AIRCRAFT WITH SOPHISTICATED SENSOR EQUIPMENT AND TO ENHANCE OUR P-3 AIRCRAFT WITH 360 DEGREE LOOK DOWN RADAR.

THE TWO E-2C WERE OBTAINED FROM THE U.S. NAVY ON FEBRUARY 7, 1987. THESE AIRCRAFT ARE NOW BEING USED IN AN OPERATIONAL/TRAINING MODE OVER THE SOUTHWEST BORDER. DURING THESE "OP/TRAINING" MISSIONS, WHICH ARE BEING FLOWN OUT OF SAN DIEGO, CUSTOMS PILOTS AND SENSOR OPERATORS ARE HONING THEIR SKILLS IN THE UTILIZATION OF THE AIRCRAFT. WE EXPECT TO HAVE THE AIRCRAFT OPERATIONALLY DEPLOYED OUT OF CORPUS CHRISTI, TEXAS, IN EARLY JULY OF THIS YEAR. THE E-2C'S WILL GIVE CUSTOMS THE ABILITY TO FLY SUSTAINED MISSIONS ON THE SOUTHERN BORDER AND OVER THE GULF OF MEXICO. THESE AIRCRAFT, IN CONJUNCTION WITH THE AEROSTAT RADAR BALLOONS, WILL GIVE CUSTOMS A GREATLY ENHANCED ABILITY TO STOP THE ILLICIT MOVEMENT OF DRUGS BY AIR.

OF THE FOUR BLACK HAWK HELICOPTERS PROVIDED TO CUSTOMS, TWO OF THESE WERE DELIVERED TO CUSTOMS ON JANUARY 21, 1987. A THIRD WAS DELIVERED ON MARCH 11, 1987, AND FINAL BLACK HAWK WAS DELIVERED IN MID-APRIL 1987. THE FOURTH BLACK HAWK WAS ASSIGNED TO THE NEW ORLEANS AVIATION BRANCH, THE SECOND TO THE HOUSTON AVIATION BRANCH AND THE REMAINING TWO TO THE SAN ANGELO, TEXAS, AVITATION BRANCH.

WE ARE MAKING PREPARATIONS TO MODIFY THE TWO ADDITIONAL CITATION II AIRCRAFT TO PERFORM AS HIGH SPEED INTERCEPTORS. IN FEBRUARY 1987, WE PURCHASED A CITATION II FROM THE U.S. POSTAL

SERVICE AND WE HAVE RECENTLY INITIATED ACTION TO PURCHASE A SECOND AIRCRAFT. THESE TWO INTERCEPTORS WILL BE OPERATIONAL IN FY 1988. THEY WILL BE ASSIGNED TO THE SAN DIEGO AND ALBUQUERQUE AVIATION BRANCHES.

AS STATED EARLIER, THE DRUG BILL AND ACCOMPANY APPROPRIATIONS LEGISLATION PROVIDED FUNDS NECESSARY TO PURCHASE FIVE ADDITIONAL AEROSTATS. SITES FOR FOUR OF THESE AEROSTATS HAVE BEEN SELECTED AFTER CONSULTATION WITH THE AIR FORCE. THEY ARE LOCATED AT MOORE FIELD, MCALLEN, TEXAS; ELEPHANT MOUNTAIN, IN TEXAS; DEMING, NEW MEXICO; AND CHILDS MOUNTAIN, IN ARIZONA. CUSTOMS IS CONSIDERING A PROPOSAL TO PLACE THE FIFTH AEROSTAT AT A LOCATION IN THE TURKS AND CAICOS ISLANDS. THE FT. HUACHUCA AEROSTAT, PARTIALLY FUNDED IN PREVIOUS CUSTOMS BUDGETS, WILL BE AVAILABLE FOR INITIAL OPERATING CAPABILITY BY OCTOBER 1987, AND IS EXPECTED TO BE TOTALLY OPERATIONAL BY DECEMBER 1987.

THE SPECIFICATIONS FOR SENSOR EQUIPMENT TO BE INSTALLED ON THE C-12 AIRCRAFT ARE BEING DEVELOPED. WE EXPECT TO EQUIP THESE AIRCRAFT WITH SENSORS SIMILAR TO THOSE INSTALLED IN THE CUSTOMS HIGH ENDURANCE TRACKER (CHET). AT THE PRESENT, WE ARE HAVING THE C-12'S EQUIPPED WITH SOPHISTICATED VOICE COMMUNICATIONS EQUIPMENT.

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A MAJOR PROJECT IN THE AIR PROGRAM IS THE MODIFICATION OF A LOCKHEED P-3B ORION WITH AN APS138, 360 DEGREE LOOK DOWN RADAR. THIS PROJECT IS PROCEEDING ON SCHEDULE. THE ADVERTISING PERIOD REQUIRED BY LAW IS ALMOST OVER. WE EXPECT TO SIGN A CONTRACT WITH LOCKHEED CORPORATION IN MAY. THE NATIONAL DRUG ENFORCEMENT POLICY BOARD IS TRYING TO RESOLVE LEGAL ISSUES INVOLVING THE TRANSFER OF THE RADAR.

TO COMBAT THE INCREASED AIR SMUGGLING THREAT AND BETTER UTILIZE ITS NEW ASSETS, THE CUSTOMS SERVICE HAS STREAMLINED ITS ORGANIZATION STRUCTURE, ADDED PERSONNEL AND EXTENDED HOURS OF OPERATION.

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CUSTOMS HAS ESTABLISHED AGENT INVESTIGATIVE GROUPS AT EACH AVIATION BRANCH TO CONDUCT INVESTIGATIONS RELATED TO SMUGGLING CONTRABAND BY AIRCRAFT. CUSTOMS ENFORCEMENT OFFICES HAVE BEEN RECENTLY OPENED IN SAN ANGELO, TEXAS, AND OKLAHOMA CITY, OKLAHOMA. THE OFFICES ARE DEDICATED TO INVESTIGATING ALL NARCOTIC SEIZURES BY CUSTOMS AVIATION BRANCHES AND DEVELOPING ALL INVESTIGATIONS BY USING CONFIDENTIAL SOURCES OF INFORMATION FROM WITHIN THE AVIATION COMMUNITY. ALL CUSTOMS INVESTIGATIVE ACTIVITY RELATING TO DRUGS WILL CONTINUE TO FOLLOW THE GUIDELINES PROVIDED IN THE MEMORANDUM OF UNDERSTANDING WITH THE DRUG ENFORCEMENT ADMINISTRATION.

ALSO, THE CIVIL AIR PATROL PRESENTLY SUPPORTS THE U.S. CUSTOMS SERVICE WITH 47 CORPORATE AIRCRAFT ACROSS THE NATION. SIX (6) OF THESE AIRCRAFT ARE PRESENTLY BEING UTILIZED IN CUSTOMS SOUTHEAST REGION. THESE AIRCRAFT HAVE BEEN SUPPORTING THE U.S. CUSTOMS OFFICE OF ENFORCEMENT WITH MARINE PATROL FLIGHTS FOR APPROXIMATELY ONE YEAR AS REQUESTED BY THE DESIGNATED CUSTOMS AREA MANAGER. THE RESULTS OF THEIR TARGETING SPECIFIC VESSELS IS AS FOLLOWS:

ARRESTS	5
SEIZURES	6
MARIJUANA	2835 LBS.

THE CIVIL AIR PATROL PROGRAM WILL BE EXPANDING TO VIRGINIA, MARYLAND, AND D.C. IN ADDITION TO ITS PRESENT OPERATIONS IN FLORIDA AND CALIFORNIA. THE CIVIL AIR PATROL WILL ALSO BE OPERATING IN TEXAS, ARIZONA, NEW ORLEANS, NEW YORK AND MASSACHUSETTS.

MARINE INTERDICTION

CUSTOMS IS CONTINUING TO GIVE THE MARINE INTERDICTION PROGRAM A HIGH PRIORITY. SINCE JANUARY 1986, WE HAVE ACQUIRED 44 INTERCEPTOR CLASS VESSELS, 19 UTILITY CLASS VESSELS, AND 3 RADAR PLATFORMS. WE ARE NOW IN THE PROCESS OF ACQUIRING 20 ADDITIONAL VESSELS WITH FUNDS PROVIDED IN THE DRUG BILL. WITH THIS NEW ACQUISITION OUR MARINE INVENTORY WILL STAND AT 247. A NUMBER OF VESSELS THAT WE HAVE ACQUIRED, OR ARE GOING TO ACQUIRE, ARE REPLACEMENTS THAT ARE BEING USED TO MODERNIZE AND STANDARDIZE OUR FLEET.

THE LARGEST CONCENTRATION OF PERSONNEL AND EQUIPMENT DEDICATED TO DRUG INTERDICATION IS CONCENTRATED HERE IN CUSTOMS SOUTHEAST REGION. IN THIS REGION WE HAVE 152 ENFORCEMENT VESSELS AND 529 MARINE ENFORCEMENT POSITIONS. ABOUT 85 PERCENT OF THESE POSITION HAVE BEEN FILLED, AND THE REMAINDER WILL BE ON BOARD

WITHIN FOUR MONTHS. AS WE DEVELOP AND ANALYZE INTELLIGENCE ON NEW TRENDS AND AREAS OF OPERATIONS BEING UTILIZED BY THE SMUGGLERS, WE DEPLOY OUR MARINE ASSETS TO MEET THAT SHIFTING THREAT. CUSTOMS EFFORTS TO INCREASE MARINE RESOURCES IN THE CENTRAL GULF COAST AND PACIFIC AREAS ARE CURRENTLY UNDERWAY.

SIX MARINE RADARS ARE NOW OPERATING ON THE TEXAS GULF COAST; A SEVENTH IS EXPECTED TO BECOME OPERATIONAL JUNE 1987. EIGHT LAND-BASED RADARS BEING INSTALLED ON THE EASTERN GULF COAST SHOULD BE OPERATIONAL BY OCTOBER, 1987.

WE ARE CURRENTLY ENHANCING OUR CAPABILITY OF DETECTING VESSELS ENTERING THE U.S. WATERS THROUGH THE USE OF VARIOUS NEW SYSTEMS WHICH ARE BEING DEPLOYED ON LAND, SEA AND IN THE AIR. WE ARE ALSO INCREASING OUR ABILITY TO INTERCEPT THESE VESSELS THROUGH COORDINATION OF ALL AVAILABLE FEDERAL, STATE AND LOCAL ASSETS.

WE ARE IMPROVING OUR RADIO COMMUNCATION CAPABILITY TO PREVENT SMUGGLERS FROM INTERCEPTING OUR RADIO TRAFFIC AND TO BETTER COMMUNICATE WITH OTHER AGENCIES. THIS IMPROVEMENT ENSURES THAT THE DRUG VIOLATORS WILL NOT BE ABLE TO AVOID APPREHENSION BY SIMPLY BUYING A RADIO SCANNER. THE NATIONAL DRUG POLICY BOARD HAS ALSO ESTABLISHED A COMMUNICATIONS GROUP UNDER THE LEADERSHIP OF DEPARTMENT OF DEFENSE TO BE THE FOCAL POINT OF ALL INTERAGENCY COMMUNICATIONS COORDINATION EFFORTS.

IN ORDER TO PROBABLY MAKE USE OF THE NEW AND INCREASED NUMBERS OF VESSELS AND EQUIPMENT WE HAVE EXPANDED OUR TRAINING AND CERTIFICATION PROGRAMS. WE ARE UTILIZING THE SERVICES OF THE FEDERAL LAW ENFORCEMENT TRAINING CENTER, CONTRACTORS AND OUR OWN INTERNAL ASSETS TO CARRY OUT THESE PROGRAMS.

AS OF APRIL 1, 1987, PERSONNEL RECRUITMENT HAS ALMOST BEEN COMPLETED FOR THE MARINE POSITIONS AUTHORIZED BY THE FY 1986 AND FY 1987 BUDGETS. THE INCREASES WILL BRING TOTAL MARINE STAFFING TO APPROXIMATELY 450. PERSONNEL SELECTED WILL BE IN POSITION AFTER COMPLETION OF REQUIRED BACKGROUND INVESTIGATIONS AND FORMAL TRAINING.

BLUE LIGHTING OPERATIONAL COMMAND CENTER

THE BLUE LIGHTNING OPERATIONS COMMMAND CENTER (BLOCC) WAS ESTABLISHED IN MIAMI, FLORIDA, ON FEBRUARY 11, 1986. CUSTOMS ASSETS ARE CURRENTLY BEING COORDINATED BY THE BLOCC INCLUDE 85 VESSELS, 340 CUSTOMS OFFICERS, 10 SHORE BASED MARINE RADAR SITES, AND THREE AEROSTAT RADAR BALLOONS. OVER 25 LOCAL LAW ENFORCEMENT AGENCIES HAVE ALREADY JOINED, CONTRIBUTING RESOURCES OF 260 OFFICERS AND ABOUT 90 VESSELS EQUIPPED WITH A CUSTOMS TRANSPONDER AND VOICE PRIVACY RADIO. THE NATIONAL PARK SERVICE, THE U.S. BORDER PATROL AND THE COAST GUARD HAVE ALSO JOINED. EFFORTS ARE

NOW UNDERWAY TO INCLUDE WESTERN AND NORTHERN FLORIDA WHICH WILL MORE THAN DOUBLE THE ASSETS. WE HAVE ALREADY PROVIDED ORIENTATION TRAINING TO MORE THAN 60 LAW ENFORCEMENT AGENCY HEADS, MOST OF THEM ARE SHERIFFS AND POLICE CHIEFS, FROM FLORIDA'S WEST COAST, AND WILL BE ESTABLISHING A WEST COAST BLUE LIGHTING STEERING COMMITTEE IN TAMPA THIS MONTH.

A MARINE OPERATION COMMAND CENTER SIMILAR TO THE BLOCC HAS NOW BEEN ESTABLISHED IN HOUSTON, TEXAS, AND ANOTHER WILL BE OPENED IN GULFPORT, MISSISSIPPI, LATER THIS YEAR.

MARINE INTERDICTION STRATEGIES ARE SIMILAR TO THOSE USED BY AIR UNITS. THE DETECTION, TRACKING, INTERCEPTION AND APPREHENSION OF SUSPECT AIRCRAFT OR BOATS IS COMPLEX, AND REQUIRES DIFFERENT TYPES OF AIRCRAFT AND VESSELS ON A SINGLE PURSUIT. COMMUNICATION NEEDS ARE CRUCIAL NOT ONLY TO THE AIRBORNE INTERDICTION COMPONENTS BUT ALSO TO THOSE PROVIDING GROUND SUPPORT WHEN THE AIRCRAFT LANDS. THE AIR INTERDICTION ASSETS ARE USED NOT ONLY IN APPREHENDING AIRBORNE TARGETS BUT ALSO IN IDENTIFYING MARINE AND LAND TARGETS AS WELL. AS SOPHISTICATED COMMUNICATIONS CAPABILITY IS A CRITICAL PART OF BOTH THE AIR AND SEA INTERDICTION STRATEGIES. FOR THIS REASON, CUSTOMS REALIZED THE NEED FOR COMMAND, CONTROL, COMMUNICATIONS, AND INTELLIGENCE CENTERS IN THE EARLY 1970'S.

COMMAND, CONTROL, COMMUNICATIONS, AND INTELLIGENCE CENTERS

THE C-3I IS A COMMAND CENTER WHERE REAL-TIME INTERDICTION DECISIONS ARE MADE BASED ON REAL-TIME INFORMATION FROM NUMEROUS SOURCES. SOURCES OF INFORMATION INCLUDE THE FOLLOWING: FAA, CUSTOMS, COAST GUARD, AND DOD, RADARS, NORAD; EPIC; FULLY DEDICATED DRUG INTERDICTION RADAR IN THE AIR, SEA, AND ON LAND; TECS; THE INTELLIGENCE COMMUNITY; FEDERAL, STATE AND LOCAL LAW ENFORCEMENT AGENCIES; TRANSPONDERS INSTALLED ON AIRCRAFT AND VESSELS; DRUG INTERDICTION INVESTIGATIONS; AND PRIVATE CITIZEN HOTLINES, ETC. THE C-3I WILL BE RESPONSIBLE FOR ALL FEDERAL AIR INTERDICTION ASSETS AND IN THE SOUTHEAST, MARINE INTERDICTION ASSETS AS WELL. BECAUSE THE C-3I SYSTEM INCLUDES OTHER FEDERAL AGENCIES INVOLVED IN DRUG INTERDICTION AND STATE AND LOCAL LAW ENFORCEMENT AGENCIES WHOSE RESOURCES WILL BE COORDINATED BY THE C-3I, COMMAND OF THE SOUTHEASTERN C-3I FACILITY WILL BE SHARED WITH THE COAST GUARD ON A TWO YEAR ROTATIONAL BASIS. STAFFING WILL BE PROVIDED BY CUSTOMS AND COAST GUARD ON A 50-50 BASIS.

CONGRESS FIRST DIRECTED THAT THE CUSTOMS SERVICE BEGIN EFFORTS TO DESIGN AND DEVELOP THE C-3I IN 1984. THE CONCEPT SHOWED GREAT PROMISE AND CONGRESS APPROPPIATED $2 MILLION IN FY 1985, $4 MILLION IN FY 1986 AND $25 MILLION IN THE DRUG BILL OF 1987. THE MAJORITY OF THE DESIGN AND DEVELOPMENT WORK IS NEARING COMPLETION. IN FACT, WE HAVE ISSUED AN INVITATION FOR BIDS FOR THE FIRST CONSTRUCTION AT MARCH AIR FORCES BASE. DESIGN OF THE MIAMI, FLORIDA FACILITY IS ALSO NEARING COMPLETION. WITH REGARD

TO OUR PLANNED NATIONAL AVIATION CENTER. THAT PROJECT IS PROCEEDING AT PACE. WE ARE CURRENTLY WORKING WITH THE NATIONAL DRUG POLICY BOARD AND ITS MEMBER AGENCIES ON HOW OUR CENTER WILL BE INTEGRATED INTO THE DRUG INTERDICTION EFFORT.

BAHAMAS INITIATIVE TASK FORCE

IN RECOGNITION OF THE INCREASE UTILIZATION OF THE BAHAMAS AS A TRANSSHIPMENT POINT FOR NARCOTICS DESTINED FOR NORTH AMERICA, THE U.S. HAS BEGUN AN INITIATIVE WITH THE BAHAMAS THAT WILL ENABLE THE U.S. TO CONDUCT JOINT MARITIME AND AVIATION LAW ENFORCEMENT ACTIVITIES IN THE TERRITORIAL WATERS OF THE BAHAMAS AND ON THE HIGH SEAS. THIS INITIATIVE CONSISTS OF AIRCRAFT (HELICOPTERS), RADAR PLATFORMS AND INTERCEPTOR VESSELS STATIONED IN THE BAHAMAS AND MANNED BY U.S. AND BAHAMIAN OFFICERS. CUSTOMS INTERCEPTOR/TRACKER AND APPREHENSION AIRCRAFT CARRYING BAHAMIAN DEFENSE FORCES STATIONED AT HOMESTEAD AIR FORCE BASE ARE WORKING IN CONJUNCTION WITH THESE ENHANCEMENTS. THESE RESOURCES PROVIDE THE ABILITY TO DETECT AND IMMEDIATELY RESPOND TO SUSPECT TARGETS ACQUIRED FROM A VARIETY OF SOURCES, INCLUDING AIRCRAFT OBSERVATIONS AND RADAR. THIS INITIATIVE WILL ACCOMPLISH TWO PRIMARY OBJECTIVES: THE SEIZURES OF SIGNIFICANT QUANTITIES OF

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NARCOTICS AND THE DISRUPTION OF BAHAMAS BASED NARCOTICS SMUGGLING GROUPS. RIGHT NOW WE HAVE CUSTOMS MARINE ENFORCEMENT OFFICERS WORKING IN THE BAHAMAS AND LIVING ON THE BOATS AND WE ARE WORKING TO ESTABLISH A BASE ON ONE OF THE ISLANDS.

THE OMNIBUS DRUG ACT PROVIDED $10 MILLION FOR PROCUREMENT OF HELICOPTERS TO BE STATIONED IN THE BAHAMAS. CUSTOMS HAS REACHED AN AGREEMENT WITH THE COAST GUARD WHICH PROVIDES THAT THE COAST GUARD WILL USE $7 MILLION TO REFURBISH, OUTFIT, AND OPERATE SURPLUS DOT H3 HELICOPTERS, $1 MILLION FOR COAST GUARD COMMUNICATION IMPROVEMENTS AND $2 MILLION FOR USE BY CUSTOMS IN PROVIDING MARINE RADAR ENHANCEMENTS TO THE CARIBAL.

CARGO INSPECTION

DURING THE PAST SEVERAL YEARS, CUSTOMS HAS RECOGNIZED THE PROGRAM THAT CARGO CONTAINERS HAVE PRESENTED TO OUR ENFORCEMENT AND NARCOTICS INTERDICTION EFFORTS.

HOW DO WE DISTINGUISH THE SUSPECT CONTAINER FROM THE MULTITUDE OF CONTAINERS THAT ARE PROCESSED?

CUSTOMS STRATEGY FOR DETECTING THE USE OF CONTAINERS FOR SMUGGLING CONTRABAND, AS WELL AS MERCHANDISE FRAUD, INCLUDES:

- CONSOLIDATING MANPOWER AND RESOURCES BY ELIMINATING IMPORTER'S PREMISE EXAMINATIONS AND UTILIZING CENTRAL EXAMINATION SITES, WITH THE IMPORTER ABSORBING THE COSTS OF TRANSPORTATION AND LABOR.

UTILIZING AUTOMATED DATA BASES TO ANALYZE INTELLIGENCE, AND IMPORTERS HISTORY IN ORDER TO TARGET CONTAINERS FOR INTENSIVE EXAMINATION BY FIELD PERSONNEL. USING THE SOUTHEAST REGION AS A EXAMPLE, THE NET RESULT HAS BEEN THE MIAMI DISTRICT'S ENVIABLE RECORD OF SEIZURES FOR THE YEAR TO DATE INCLUDING THE LARGEST COCAINE SEIZURE IN U.S. HISTORY. CONTRABAND ENFORCEMENT TEAM (CET) SEIZURES AND QUANTITIES ARE:

	FY 86	FY 87 TO DATE
COCAINE	4,363 LBS	10,145 LBS
MARIJUANA	40,893 LBS	13,968 LBS

CONTAINER SEIZURES AND QUANTITIES FOR THE LAST FEW YEARS ARE:

	FY 84	FY 85	FY 86	FY 87 TO DATE
COCAINE	2,302 LBS	1,650 LBS	379 LBS	8,462 LBS
MARIJUANA	10,549 LBS	14,876 LBS	3,519 LBS	12,873 LBS

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OTHER CONCERNS INCLUDE SMUGGLING BY AIRLINE PASSENGERS AND NARCOTICS SEIZURES AT MIAMI INTERNATIONAL AIRPORT, USING OBSERVATIONS TECHNIQUES DEVELOPED IN THIS REGION ARE:

	FY 86	FY 87 TO DATE
COCAINE	912 LBS	625 LBS
MARIJUANA	2,445 LBS	4,831 LBS

OUR LOCAL CONTAINER STRATEGY WILL RELY ON INCREASED UTILIZATION OF SOPHISTICATED DATA BASES, AS OUR ADP SYSTEMS ARE UPGRADED. OUR INTELLIGENCE GATHERING WILL FOCUS ON IDENTIFYING ORGANIZED CRIME-RELATED COMPANIES THROUGH FBI, IRS AND OTHER AGENCY COORDINATION, AND WE WILL ATTEMPT TO GAIN AN IN-DEPTH KNOWLEDGE OF DOMESTIC AND FOREIGN CONTAINER REPAIR AND RENTAL FACILITIES TO IDENTIFY SMUGGLING CONSPIRACIES.

S.789

MR. CHAIRMAN IN YOUR LETTER TO THE COMMISSIONER YOU REQUESTED COMMENTS ON S.789 WHICH PROPOSES ESTABLISHMENT OF A CABINET LEVEL NARCOTICS LEADER. THIS ISSUE IS CERTAINLY ONE OF A NATIONAL SCOPE AND, AS A REGIONAL COMMISSIONER, IT WOULD NOT BE PROPER FOR ME TO MAKE A STATEMENT OF A NATIONAL POLICY NATURE.

MY STATMENT SHOULD MAKE IT CLEAR, MR. CHAIRMAN, THAT THE CUSTOMS SERVICE IS FULLY DEDICATED TO THE WAR ON DRUGS, AND THAT THE OMNIBUS DRUG ENFORCEMENT EDUCATION AND CONTROL ACT OF 1986 HAS HAD A SIGNIFICANT IMPACT ON OUR ABILITY TO RESPOND. I WOULD BE PLEASED TO ANSWER ANY QUESTIONS YOU OR OTHER MEMBERS OF THE PANEL MAY HAVE.

SYLVESTER B. BILLBROUGH
Assistant Special Agent in Charge
Miami Field Division
Drug Enforcement Administration

Chairman Biden, Chairman Chiles, Members of Senate Caucus on International Narcotics Control, and Members of the Subcommitteee on Federal Spending, Budget and Accounting: I am pleased to appear before you today to discuss the implementation of the provisions of the Anti-Drug Abuse Act of 1986 that have been planned by the Drug Enforcement Administration.

Before describing DEA's utilization of the resources allocated by the Act and our implementation of its relevant provisions, I would like to briefly state for the record DEA's role in drug law enforcement.

The Drug Enforcement Administration is responsible for the investigation and preparation for prosecution of major violators of controlled substances laws operating at interstate and international levels, and the management of a national narcotics intelligence system in cooperation with Federal, state, local and foreign officials. DEA is also responsible for ensuring that legitimately produced pharmaceutical products are not diverted into the illegal drug market. Our criminal investigators, intelligence analysts, diversion investigators, and support personnel work not only in the United States, but also in major international drug source and transit areas.

In addition, DEA shares responsibility for the coordination and cooperation with other Federal, state, and local agencies,

and with foreign governments for programs designed to reduce the availability of illicit drugs of abuse on the United States market through joint enforcement operations, crop eradication, and training.

In FY 1986, before the Anti-Drug Abuse Act was enacted, DEA made dramatic gains in the arrests of major violators and the seizure of assets. During FY 1986, DEA arrested a record 18,746 drug violators. This is an increase of 3,015 or 19.2 percent overall from FY 1985. Of those arrested, 6,002 were the most significant drug violators, Class I and II defendants. Arrests of these major violators increased 47.9 percent in FY 1986.

A record total of 12,177 convictions were reported during FY 1986. This is an increase of 1,649 or 15.7 percent over FY 1985. Convictions in major cases increases 22.1 percent, from 6,221 to 7,595 from FY 1985 to FY 1986, and 62.4 percent of all convictions resulted from major cases, those which had Class I and II violators as defendants.

Drug removals of marijuana, cocaine, and dangerous drugs also increased markedly. Cocaine removals totaled 26,873 kilograms in FY 1986, compared with 17,726 kilograms in FY 1985, an increase of 52.6 percent. Marijuana seizures totaled 824,367 kilograms compared with 752,086 during FY 1985, a rise of 11.4 percent. Dangerous drugs removals totaled 46 million dosage units, a 76 percent increase from the prior year.

Only heroin seizures declined. During FY 1986, 351 kilograms of heroin were seized, a decrease of 21 percent over the amount seized the year before. The decline in heroin seizures is somewhat misleading. Seizures in growing and transit areas, which are much more effective since those drugs never reach the United States, increased. We are also spending an ever increasing percentage of our effort in the fight against the cocaine threat.

Asset removals for FY 1986 increased 53 percent from the prior year and totaled $378,814,241. Of this amount, over 40 percent was cash.

Despite all of these successes, there are more illicit drugs on the streets of our cities than ever before. Most of these drugs come from foreign countries. Thus, it is in these source countries that we must continue to apply substantial resources to eradicate and interdict illicit drugs. Interdiction after the drugs leave a foreign country becomes extremely difficult and not as cost-effective.

DEA appreciates the additional responsibilities and resources that Congress allocated under the Anti-Drug Abuse Act of 1986 to enable the U.S. Government to more effectively pursue the criminals who traffic in illicit drugs and to combat the demand

for and use of drugs in the United States. As a part of the Act, Congress provided DEA $60 million for salaries and expenses, and 629 positions, of which 359 are Special Agents. I would now like to address your concerns about DEA's implementation of the relevant provisions of this Act and our use of resources.

DIVERSION CONTROL AND CLANDESTINE LABORATORIES PROGRAMS

DEA diversion investigators ensure that all legitimate handlers of controlled substances are in compliance with the laws and regulations under the Controlled Substances Act of 1970, and that controlled substances which are produced for medical and scientific purposes are not diverted for illegal use. To do this, they conduct periodic investigations of drug manufacturers and wholesalers, as well as special investigations of registrants who are suspected of diversion. They also monitor all imports and exports of controlled substances, register all handlers of controlled substances, conduct pre-registration investigations prior to approval of applications for registration, and recommend the placement of drugs of abuse in the appropriate schedule.

A major focus of our diversion program has always been to enhance the ability of states to take effective action against registered practitioners who are in violation of the Controlled Substances Act. Following two national conferences with the states, which focused on methods and programs to enhance their

efforts to halt diversion, DEA has been working closely with the Bureau of Justice Assistance (BJA) and the states to focus Federal grant money devoted to diversion efforts to areas identified at these conferences.

Grants will focus on activities that would improve the authority and structure of state licensing boards, improve statewide drug information collection systems, establish state emergency scheduling provisions, and establish methods and structures to improve the communication and operating procedures between law enforcement and state professional licensing boards.

Diversion investigators will also continue to build upon the successes of the 1984 Diversion Control Amendments, especially in moving to deny an application for registration or revoking a registration of a doctor or pharmacy whose registration would be inconsistent with the public interest.

Emergency Scheduling

Thus far, DEA has used the emergency scheduling authority under the 1984 Diversion Control Amendments on five separate occasions to control 13 substances in Schedule I. These substances are 10 analogs of the potent narcotic fentanyl, two analogs of the narcotic meperidine (Demerol), and MDMA. The availability and abuse of these controlled substance analogs has been curtailed.

In those instances where the substances have remained in illegal use, DEA has been able to apprehend and prosecute the manufacturers and traffickers. Numerous prosecutions of manufacturers and distributors of MDMA took place shortly after its emergency control. For example, the emergency control of 3-methylfentanyl enabled DEA to arrest and successfully prosecute a chemist from a prominent chemical firm who had manufactured several million dosage units of this extremely potent narcotic.

Four of the temporarily controlled substances, including MDMA and 3-methylfentanyl, are now permanently controlled in Schedule I. Seven of the remaining substances have been proposed for permanent Schedule I control.

Controlled Substances Analog Enforcement Act

Although the Controlled Substances Analog Enforcement Act of 1986 does not specifically schedule analogs, it does provide an effective weapon against them. This Act subjects individuals who manufacture or distribute controlled substance analogs for human consumption without proper FDA research approval to the same criminal sanctions as those who unlawfully manufacture and distribute Schedule I controlled substances. The definition of an analog is tied to its chemical or pharmacological similarity to a Schedule I or II substance.

6.

It is envisioned that this Act will complement the scheduling of substances under the Controlled Substances Act and not obviate the need for scheduling. It will be used in cases where an analog has been newly identified and DEA has not had the opportunity to schedule it under the CSA. These newly identified substances will be reviewed for emergency and traditional scheduling, and, when and if sufficient data is obtained, they will be controlled.

A 1985 clandestine laboratory investigation illustrates an important potential application of the new legislation. A chemist operating a clandestine lab was manufacturing and distributing 3-methylfentanyl, which had been emergency scheduled by DEA. By the time the laboratory search took place, the chemist had stopped making 3-methylfentanyl and was making other fentanyl analogs, which were discovered in the search. Since these other analogs were not controlled, no charges could be brought against the chemist. If a similar situation occurred today with the new legislation, the chemist could be prosecuted for the manufacture and distribution of an analog for human consumption.

7.

Precursor Chemical Program

Part of the DEA diversion resources granted for 1987 are being devoted to an enhanced precursor chemical tracking program with the chemical industry. This voluntary program involves monitoring sales of essential and precursor chemicals from legitimate industry to detect suspicious sales which may be destined for clandestine labs. It will enhance the existing clandestine lab program and provide a foundation for future Federal programs to curtail the diversion of chemicals.

The Anti-Drug Abuse Act of 1986 called upon the Attorney General to conduct a study of the need for legislation to control the diversion of precursor and essential chemicals. This study and accompanying proposed legislation has been forwarded to Congress and we urge your early consideration of this important matter.

Clandestine Laboratory Safety Program

Another program developed by DEA will serve to protect our special agents and chemists who raid clandestine laboratories. The violence and chemical hazards that have been encountered on raids are expected to be a continuing problem because of the increase in clandestine laboratories in the United States that produce drugs such as cocaine hydrochloride, methamphetamine,

PCP, and any number of controlled substance analogs. In fiscal year 1986, DEA seized 479 clandestine labs and seized more than 1,000 weapons during these actions. Approximately 20 percent were fully automatic weapons. Many of the labs also contained explosives and booby traps.

An equally important threat, although it is generally less recognized than armed defense, is that of the chemicals, compounds, drugs, and drug analogs present in the labs. Inhalation of chemicals is the predominant hazard, although skin contact and, to a lesser extent, ingestion could also occur. The skin is an effective barrier to some chemicals, but others could produce serious, even fatal, reactions through skin absorption. Labs producing controlled substance analogs expose DEA personnel to newly synthesized narcotic and hallucinogenic drugs whose toxic properties are not yet fully known. These chemicals could also cling to the clothing of those who seize labs and pose an unexpected danger to their families, colleagues and acquaintances who could come in contact with traces of chemicals found on their clothes and in their cars.

To protect our special agents and chemists, we have developed a clandestine laboratory agent safety program, which includes the purchase of innovative protective and safety equipment and a one-week training course on its proper use. Once fully implemented, the safety program can also benefit state and local law enforcement agencies who conduct clandestine lab seizures.

STATE AND LOCAL COOPERATIVE EFFORTS

DEA works closely with state and local law enforcement agencies around the nation on both a formal and informal basis to attain maximum cooperation on drug investigations and to expand the body of intelligence concerning drug traffickers. DEA also provides classroom and on-the-job training for state and local police. The Anti-Drug Abuse Act now provides DEA with the authority to deputize state and local officers with authority under the Controlled Substances Act, Title 21, to permit these officers to perform Federal level investigations together with DEA special agents.

The Anti-Drug Abuse Act authorized the Bureau of Justice Assistance to make grants to the states for programs that improve the apprehension, prosecution, adjudication, detention and rehabilitation of drug offenders. The funds may also be used for eradication initiatives, treatment efforts, and programs to focus on major drug offenders.

DEA has assisted BJA in developing program briefs for the states on numerous topics including diversion, asset forfeiture, marijuana eradication, clandestine laboratories, and state and local task forces.

To help the states design their enforcement strategies and effectively administer this new drug control program, BJA hosted three regional workshops in March. DEA Special Agents in Charge and Assistant Special Agents in Charge attended the regional briefings to meet the individual state representatives who will be administering the program in each state.

With regard to DEA's plans to enforce the "Mail Order Drug Paraphernalia Control Act" that is part of the Anti-Drug Abuse Act of 1986. This Subtitle O of the Act created a new offense that makes it unlawful to offer for sale or transport in interstate commerce or to import drug paraphernalia. The Act was designed to support state and local efforts to stop the sales of drug paraphernalia by addressing the problems of mail order sales and the importation of drug paraphernalia.

The Postal Inspection Service has begun active enforcement of the mail order prohibitions of the Act. Similarly, the U.S. Customs Service has assumed responsibility for investigation of the import/export provisions of the Act. The activities of these two agencies should ensure that Federal law enforcement can now play a greater role in this area.

Certain other prohibited acts under the Anti-Drug Abuse Act, such as the use of children to manufacture or distribute controlled substances and the manufacture or distribution of controlled substances within 1,000 feet of a school, generally occur on a local level and are not masterminded by a nationwide drug organization.

Thus, the prohibition of these acts gives greater enforcement powers to state and local law enforcement agencies. Most state and local arrests are at the Class III and IV level, according to a DEA scale of drug offense violators in which Class I is accorded to a major violator, such as the head of a criminal organization or the distributor of large amounts of drugs. Arrests under the two new laws above would usually be Class III and IV.

Attorney General Meese has said the "schoolyard law" represents, "a significant...victory in the ongoing fight to rid the nation's schools of illegal drugs....Drug dealers who think they can invade and occupy entire neighborhoods had better think again. We will push the traffickers from the streets of our cities and return them to their rightful owners, the decent, law-abiding citizens of our land."

When utilization of the minors' law and the schoolyard law are practical from the legal viewpoint, and when such utilization enhances DEA's efforts to immobilize trafficking organizations, their use by DEA will be encouraged. No additional responsibilities are levied upon DEA as a result of these laws.

The Drug Enforcement Administration continues to direct its efforts at the highest level of the narcotics traffic. In order to have the greatest impact on the drug traffic, it is necessary to target the most significant traffickers. However, we continue to support local law enforcement efforts in enforcing drug laws. We are especially proud of the accomplishments of the DEA State and Local Task Forces which usually direct their efforts at local level traffickers.

State and Local Task Forces

A formal, ongoing operation, the DEA State and Local Task Force Program unites DEA Special Agents with state and local police officers into cohesive drug enforcement units in selected geographic areas to provide increased drug enforcement, interagency investigative cooperation, and a continuing intelligence exchange.

The program encourages participating agencies to establish investigative priorities that stress drugs and level of violators that pose the most serious threat to that area. In 1986, 35 program-funded DEA State and Local Task Forces were operating.

The passage of the Anti-Drug Abuse Act of 1986 has enhanced this program by providing 94 new DEA positions and by providing resources to establish a special unit in DEA Headquarters to oversee this program, as well as DEA's participation in the Organized Crime Drug Enforcement Task Forces. The Act also appropriated an additional $10 million in funding for establishing new State and Local Task Forces, and allowed DEA the funding necessary to enhance existing task forces proven to be successful. Through this funding, 5 new program-funded State and Local Task Forces were put into operation, bringing the total to 41 at this time. Two of these Task Forces are in Florida; one is in Tampa and one is in Ft. Myers.

Cocaine Enforcement

Increased law enforcement efforts against cocaine have produced dramatic results, with a more than 52 percent increase in seizures made by DEA in FY 1986 over the prior year. Seizures of cocaine are estimated to further increase this year after all the newly mandated resources and manpower are in place.

The Act assigned 218 positions and $8 million to DEA domestic field staffs to combat increased cocaine trafficking. DEA has completed an overall strategy specifically targeting cocaine and intended for use by all participating law enforcement agencies, Federal, state and local. New positions will be allocated proportionately to field offices in areas in which cocaine trafficking is most prevalent.

One special program planned for FY 1987 will focus on crack cocaine. DEA will expand its existing program of Federal, state and local cooperative activities with the creation of 24 "crack teams." Crack is primarily a local phenomenon and not part of a nationwide manufacturing or distribution chain. In the near future, crack teams will be established in 24 metropolitan areas that have expressed a desire to participate in this program. Two additional DEA special agents will be assigned to develop an informal team together with eight state and local law enforcement officers for each metropolitan area selected. Three of these crack teams will be in Florida, specifically, in Miami, Ft. Lauderdale, and Ft. Myers.

Asset Sharing and Asset Removal Teams

Another benefit from continuing cooperative efforts is asset sharing. The Comprehensive Crime Control Act of 1984 established that state and local law enforcement agencies that participate with DEA and other Federal agencies in joint investigations are entitled to receive a share of all proceeds of the assets seized and forfeited in those operations. During FY 1986, disbursements were made in 1,273 sharing requests that DEA received from state and local governments. These disbursements had a total value of $23.5 million. We expect that there will be a larger total of seized and forfeited assets for state and local agencies to share in the future.

It is anticipated that assets seized and forfeited will substantially increase because of DEA's establishment of asset removal teams in 8 of our 19 field divisions this past year. Composed of DEA and IRS agents, and state and local officers in some cases, these teams review and work DEA enforcement cases for asset removal potential. The asset removal teams work with enforcement case agents and the Assistant United States Attorneys to ensure that seizure potential is fully exploited in every case.

We anticipate that these teams will continue to perfect their techniques and that new teams will be established in more of our field divisions before the end of this year.

COOPERATIVE FEDERAL AND INTERNATIONAL EFFORTS

The Act enhanced DEA's operations in foreign cooperative drug investigations and in intelligence gathering with an increase of 65 positions and $9 million. DEA is proposing that 40 of these positions be used for special agents, most of whom would be assigned to South and Central America. It is anticipated that having additional special agents in host countries that are primary sources for cocaine or transshipment countries could aid these countries in increasing their seizures of cocaine, destroying coca crops and laboratories, and arresting traffickers.

In addition, Congress earmarked $13 million for air operations, including $8.4 million for specific aircraft equipment for use in cocaine programs. Requests have been submitted for the purchase of these aircraft. The additional aircraft and the manpower increases of 11 positions will enable DEA to be more effective in South America, Central America, and Mexico to reduce the flow of cocaine into the United States.

Cooperative Special Enforcement Operations

DEA participates in the Organized Crime Drug Enforcement Task Forces, the Vice President's National Narcotics Border Interdiction System, and similar formally organized cooperative

efforts. DEA is also currently involved in several cooperative operations that target in particular the influx of narcotics from South America, Central America, and the Caribbean.

Operation Vanguard

Operation Vanguard is part of the United States-Mexican bilateral eradication campaign which uses aerial reconnaissance for the purpose of detecting illicit cultivation of opium poppies and cannabis and verifying their eradication. This program has identified sizable increases in cannabis and opium poppy cultivation in previously purported eradicated areas, as well as in nontraditional growing sites.

Resources for the Mexican eradication campaign are supplied by the Bureau of International Narcotics Matters (INM) of the State Department. However, DEA plays a vital role in this campaign. DEA agents supply information to the eradication campaign on the locations of fields under cultivation. They also participate in the verification of the eradication efforts.

Operation Vanguard has had a generally successful year with a 90 percent verification rate on fields sprayed by the Mexican Government. Both the United States and Mexico have reaffirmed their commitments to the eradication campaign in Mexico.

Operation Alliance and Operation Full Press

A new United States cooperative program has begun on the Southwest border of the United States. In August 1986, the Vice President, as head of the National Narcotics Border Interdiction System, and the Attorney General, as Chairman of the National Drug Enforcement Policy Board, announced the commencement of Operation Alliance. It is a multi-agency law enforcement interdiction effort aimed at curtailing the flow of illicit drugs from and through Mexico into the United States.

The primary agencies involved in the actual interdiction activity are the U.S. Customs Service, the U.S. Border Patrol, the U.S. Coast Guard, and DEA. U.S. Customs has primary responsibility for air and ports of entry interdiction. The U.S. Border Patrol has been charged with land interdiction responsibility between the ports of entry, and the U.S. Coast Guard has primary responsibility for sea interdiction. Each agency is conducting separate operations as a part of the umbrella heading of Operation Alliance. These agencies are supported by state and local law enforcement agencies in border states and by several other Federal agencies.

DEA has primary responsibility for providing strategic and tactical narcotic trafficking intelligence, and is responsible for pursuing all domestic and international drug investigations

resulting from Operation Alliance. DEA has committed sizable investigative and intelligence resources to support Operation Alliance, including the increase of its permanent special agent work force in southwest border offices by 55 special agents during 1986. In addition, 11 special agents have been added to DEA's offices in Mexico, and this has enhanced the collection of tactical drug interdiction intelligence in Mexico.

In support of this operation, DEA established the U.S. Southwest Border Intelligence Task Force to provide strategic assessments of all aspects of drug trafficking from Mexico to the United States. DEA offices in Mexico support Operation Alliance by reporting to the El Paso Intelligence Center (EPIC), on a daily basis, aircraft sighted at airfields within their geographic areas of responsibility. EPIC then provides the reporting offices and U.S. Customs air interdiction offices along the border with background data on suspect aircraft. EPIC processed 950 aircraft sightings from DEA within a five-month period, of which 50 were positive hits on suspect aircraft. Five of these suspect aircraft were seized following their foreign sighting.

Operation Full Press, which began this past October, is a DEA special enforcement operation conducted with the U.S. Border Patrol and supported by the U.S. Customs Service within Operation

Alliance. Operation Full Press is directed toward the interdiction of narcotics between and at the ports of entry and the initiation of follow-up investigations and prosecutions.

Operation Full Press, in its initial four-and-a-half months of operation, achieved immediate tactical success which was highlighted by a total of 242 investigative case initiations, 296 arrests, and seizures of more than 15,000 kilograms of marijuana, more than 450 kilograms of cocaine, 36,000 dosage units of Mandrax (methaqualone), approximately $66,000 in cash, and 94 vehicles.

In support of the overall Operation Alliance initiative, DEA has delegated limited narcotic arrest, and search and seizure authority to approximately 2,800 U.S. Border Patrol agents who were trained in narcotic-related subjects and drug interdiction methods by DEA. We believe that Operation Full Press has been so successful because of the U.S. Border Patrol's new expertise in drug law enforcement techniques, which developed from the training provided.

Operation Chem Con

For several years, DEA has spearheaded Operation Chem Con to reduce the availability of essential chemicals used in the illicit manufacture of cocaine hydrochloride and other drugs. In

1986, approximately 2,000 55-gallon drums of ether were seized in the United States and abroad. This amount of ether would have produced more than 24,000 kilograms of cocaine hydrochloride. In addition, more than 1,000 55-gallon drums of acetone were seized as a result of Operation Chem Con last year. This could have processed about 12,000 kilograms of cocaine.

In 1986, as in 1985, Chem Con seizures of ether decreased from the prior year. This decline occurred because of increased enforcement by countries in which cocaine labs are located, the intelligence effort by source countries, and the voluntary denial of suspicious shipments by the ether producers. Thus, even though there was a decrease in seizures, we consider it a success -- one achieved through cooperation of law enforcement agencies and private firms in several countries.

In fiscal year 1987, DEA will continue to expand the base of countries participating in Operation Chem Con. We will focus our efforts on Colombia, Ecuador, Venezuela, Bolivia, and Peru, countries which use essential chemicals to produce drugs; and Brazil, Argentina, and Chile, which produce essential chemicals used in illicit drug production.

Operations in Central America and the Caribbean

Three other drug enforcement operations involve the cooperation of Central American and Caribbean nations. In one, Panama, Venezuela and Jamaica are joining with several U.S. Government agencies for maritime surveillance and interdiction operations.

In another operation, DEA is continuing its interdiction activity with the Bahamas via Operation BAT, which operates in the Bahamas and the Turks and Caicos Islands. It is estimated that as much as 60 percent of the cocaine and marijuana in the United States transits the Caribbean from source countries through the Bahamas, Turks and Caicos Islands. Further, it is estimated that as much as 30 percent of the drugs transitting the Bahamas are off-loaded in some fashion in Bahamian territory for onward shipment to the United States.

Among the objectives of Operation BAT are the disruption of the flow of marijuana and cocaine transitting this area en route to the United States; an attempt to close the islands to smugglers for use as aircraft refueling stops, storage locations and staging points; the identification of major smuggling organizations by their aircraft and pilots in the area; and the

providing of additional training to the host country's narcotics and law enforcement officers.

In Operation BAT, Bahamian officers are ferried to their islands in U.S. military helicopters to make drug seizures and arrests. They are accompanied by DEA agents. In calendar year 1986, Operation BAT-assigned aircraft flew 1,849 sorties for a total of 3,104 hours, and were responsible for the seizure of: 3,291 kilograms of cocaine; 42,271 kilograms of marijuana; 8 vessels; 13 aircraft; and 3 vehicles. During a recent 10-day period, Operation BAT efforts resulted in the seizure of more than 900 kilograms of cocaine, approximately 900 kilograms of marijuana, 17 arrests, and the seizure of 3 aircraft and one vessel.

The United States has been working closely with the Bahamian Government to improve the interdiction of drugs smuggled through that key transit country. The Anti-Drug Abuse Act of 1986 established a U.S.-Bahamian Drug Interdiction Task Force made up of the U.S. Customs Service, the U.S. Coast Guard, DEA, and the Bahamian authorities. The Task Force, which is an extension of Operation BAT, includes provisions for the joint operation of additional interdiction pursuit helicopters, improved

communications capabilities, and construction of a marine repair and maintenance base in the Bahamas. In order to fully implement the task force, studies are being conducted in the areas of communications, logistics, intelligence, and air and marine operations.

AVLOS

DEA and the State Department have begun an exchange of information as a part of the State Department's Automated Visa Lookout System (AVLOS). U.S. consular offices overseas are tied to a main computer in order to check foreign nationals who request a visa to enter the United States. Problems in their background would alert the State Department and may prevent them from receiving a visa.

CONCLUSION

The budgetary enhancements for drug enforcement the past few years have allowed the Drug Enforcement Administration to increase substantially our seizures of drugs and assets, and our arrests and convictions of drug dealers and traffickers. But, with all we are doing, it is difficult to say whether we have had an impact on the amount of drugs finally reaching American streets and American drug users.

The United States must and will continue to use new laws and penalties to eliminate any loopholes that drug traffickers could use to escape prosecution.

Gentlemen, I thank you for your leadership roles and continuing support of progress in drug law enforcement. I will be pleased to answer any questions you may have.

VICE ADMIRAL D.C. THOMPSON
COMMANDER, ATLANTIC AREA
U.S. COAST GUARD

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, IT IS A PLEASURE TO APPEAR BEFORE YOU TODAY TO PROVIDE AN OVERVIEW OF THE COAST GUARD'S EFFORTS TO IMPLEMENT THE ANTI-DRUG ABUSE ACT OF 1986 AND TO DISCUSS THE NEED FOR COORDINATION OF DRUG ENFORCEMENT ACTIVITIES AND POLICIES.

ANTI-DRUG ABUSE ACT OF 1986

THE ACT INCLUDED $89M FOR THE COAST GUARD'S ACQUISITION, CONSTRUCTION AND IMPROVEMENT ACCOUNT TO PROCURE LAW ENFORCEMENT ASSETS AND $39M IN OPERATING EXPENSES TO INCREASE THE COAST GUARD ACTIVE DUTY STRENGTH FOR FISCAL YEAR 1987, AND TO OPERATE TWO C-130s AND FIVE PATROL CRAFT. IN ADDITION, THE ANTI-DRUG ABUSE ACT OF 1986 ESTABLISHED A UNITED STATES-BAHAMAS DRUG INTERDICTION TASK FORCE, AUTHORIZED A BAHAMAS DRUG INTERDICTION DOCKING FACILITY AND SEPARATE BOAT LIFE FACILITY TO BE LOCATED IN THE BAHAMAS, CODIFIED NAVY SUPPORT OF COAST GUARD LAW ENFORCEMENT DETACHMENTS (LEDETS) ON NAVY VESSELS IN 10 USC 379, MODIFIED THE MANSFIELD AMENDMENT WHICH AUTHORIZED MARITIME LAW ENFORCEMENT ACTION IN A CONSENTING NATION'S TERRITORIAL SEAS, PROVIDED ADDITIONAL FUNDING FOR ENHANCED COMMUNICATIONS AND SURVEILLANCE CAPABILITIES, AND IMPROVED 21 USC 955A, MAKING IT A MORE EFFECTIVE LAW ENFORCEMENT TOOL.

MANSFIELD AMENDMENT

PRIOR TO THE ANTI-DRUG ABUSE ACT OF 1986, THE MANSFIELD AMENDMENT TO THE FOREIGN ASSISTANCE ACT (22 USC 2291(C)(1)) PROVIDED THAT "NO OFFICER OR EMPLOYEE OF THE UNITED STATES MAY ENGAGE IN ANY DIRECT POLICE ARREST ACTION IN ANY FOREIGN COUNTRY WITH RESPECT TO NARCOTICS CONTROL EFFORTS." THIS PROVISION PREVENTED OUR DIRECT INVOLVEMENT WITH FOREIGN LAW ENFORCEMENT PERSONNEL IN DRUG ARRESTS WITHIN FOREIGN WATERS. THIS HAD OFTEN PREVENTED US FROM PROVIDING DIRECT ASSISTANCE TO OUR CARIBBEAN NEIGHBORS WHEN THEY HAVE

ASKED FOR IT AND HAS LIMITED TRAINING OPPORTUNITIES WHEN THE POSSIBILITY OF ACTUAL LAW ENFORCEMENT EXISTED. SECTION 2009 OF THE ANTI-DRUG ABUSE ACT OF 1986 PROVIDED THAT MARITIME LAW ENFORCEMENT IN A CONSENTING NATION'S TERRITORIAL SEA WAS EXCLUDED FROM THE MANSFIELD RESTRICTION. SINCE THE EXCLUSION FOR MARITIME LAW ENFORCEMENT HAS BEEN IMPLEMENTED, THE COAST GUARD HAS RESPONDED TO REQUESTS FROM THE BAHAMAS, PANAMA, AND THE DOMINICAN REPUBLIC TO ENGAGE IN COOPERATIVE EFFORTS WITHIN THEIR TERRITORIAL SEA TO SUPPRESS ILLICIT DRUG TRAFFICKING.

21 USC 955A

THE ANTI-DRUG ABUSE ACT OF 1986 PROVIDED SIGNIFICANT IMPROVEMENTS TO THE PROHIBITION AGAINST DRUG TRAFFICKING, CODIFIED AT 21 USC 955A. IN 1980, PUBLIC LAW 96-350 REFERRED TO AS THE "BIAGGI-GILMAN BILL", CLOSED A LOOPHOLE IN THE LAW BY ESTABLISHING A SUBSTANTIVE OFFENSE AGAINST DRUG TRAFFICKING. WHILE THIS LEGISLATION WAS EXTREMELY EFFECTIVE IN INCREASING PROSECUTION AND CONVICTION OF TRAFFICKERS, IT CONTAINED PROVISIONS WHICH RAISED NEW DIFFICULTIES FOR PROSECUTORS UNRELATED TO THE MERITS OF THE CASE. JURISDICTIONAL LANGUAGE CONCERNING STATELESS AND FOREIGN VESSELS HAD FREQUENTLY BECOME THE MAJOR ISSUE IN A CASE. THESE PROBLEMS HAVE BEEN CORRECTED THROUGH THE AMENDMENTS OF THE ANTI-DRUG ABUSE ACT OF 1986 WHICH ALLOWS THE DEPARTMENT OF STATE TO CERTIFY EXISTENCE OF A SUSPECTED VESSEL'S CLAIM OF FOREIGN REGISTRY. IF A VESSEL IS NOT CERTIFIED AS HAVING LEGITIMATE FOREIGN REGISTRY BY THE DEPARTMENT OF STATE, IT MAY NOW BE ASSIMILATED AS STATELESS AND SUBJECT TO U.S. LAW FOR THE PURPOSE OF CHARGING A VIOLATION OF 955A(A), POSSESSION WITH INTENT TO DISTRIBUTE.

TACLET/LEDET

EMBARKING CG PERSONNEL ABOARD NAVY VESSELS FOR LAW ENFORCEMENT PURPOSES WAS CODIFIED BY THE ANTI-DRUG ABUSE ACT OF 1986 IN TITLE 10 USC SECTION 379. I AM VERY PLEASED WITH THE PERFORMANCE OF OUR LAW ENFORCEMENT DETACHMENTS ABOARD NAVY VESSELS. SMUGGLERS MUST NOW AVOID ALL NAVY AS WELL AS COAST GUARD UNITS SINCE THEY DO NOT KNOW WHETHER THE COAST GUARD TACLET/LEDET IS ABOARD. THE NAVY IS FULLY COMMITTED TO THE INTERDICTION OF DRUGS AT SEA. SINCE 1 OCTOBER 1986, THE NAVY HAS ASSISTED IN SEIZING 19 VESSELS INCLUDING THE ARREST OF 110 SMUGGLERS AND THE INTERDICTION OF 243,017 POUNDS OF MARIJUANA AND 989 POUNDS OF COCAINE, WITH AN ESTIMATED VALUE OF OVER $284M.

IN FY 1986 AND FY 1987, 500 ADDITIONAL POSITIONS WERE PROVIDED FOR LAW ENFORCEMENT DETACHMENTS. WHEN NOT ON A NAVY DEPLOYMENT, THESE PERSONNEL AUGMENT COAST GUARD STATIONS CONDUCTING LAW ENFORCEMENT OPERATIONS, AN IMPORTANT FLEXIBILITY JUST AUTHORIZED FOR THIS PROGRAM. BECAUSE PERSONNEL FILLING THESE BILLETS REQUIRE A HIGH LEVEL OF TRAINING, THE COAST GUARD WAS UNABLE TO IMMEDIATELY DEPLOY 500 QUALIFIED PERSONNEL BUT BEGAN A CONCERTED RECRUITING AND TRAINING EFFORT IN FY 1986. HOWEVER, BASED ON OUR EXPERIENCE AND THE AVAILABILITY OF SUITABLE NAVY SHIPS, A LEVEL OF 300 PEOPLE IS ADEQUATE. THE PRESIDENT'S FY 1988 BUDGET PROPOSES THAT THIS 300 LEVEL BE MADE PERMANENT (VICE NAVY REIMBURSED) IN THE FY 1988 COAST GUARD BUDGET. AS OF EARLY 1987, 84% OF THE 300 BILLETS WERE FILLED AND I EXPECT ALL 300 TO BE FILLED BY JULY.

CURRENT OPERATIONS

STARTING IN THE FALL OF 1984 WITH OPERATION WAGONWHEEL, THE COAST GUARD'S PORTION OF HAT TRICK I, INTERDICTION ACTIVITIES WERE TAKEN RIGHT TO THE DOORSTEP OF THE PRIMARY SOURCE COUNTRIES OF THE CARIBBEAN BASIN. OPERATION HAT TRICK WAS THE FIRST OF SEVERAL MULTIAGENCY, INTERNATIONAL OPERATIONS OF RECENT YEARS EMPLOYING MAXIMUM RESOURCES AND FLEXIBILITY TO COMPLEMENT THE ANTI-DRUG OPERATIONS BEING CARRIED OUT BY FOREIGN FORCES IN-COUNTRY, BOTH ASHORE AND AFLOAT. THESE OPERATIONS HAVE BEEN AN EXTREMELY EFFECTIVE ADJUNCT TO OUR OWN ONGOING INTERDICTION PROGRAMS. OF THE $39M PROVIDED IN THE DRUG SUPPLEMENTAL APPROPRIATIONS ACT, $22.1M IS BEING USED TO OFFSET FUEL REDUCTIONS MANDATED LAST YEAR DURING BUDGET CUTS. THIS HAS ALLOWED THE CURRENT LEVEL OF OPERATIONS TO CONTINUE. IN ADDITION TO THE NAVY ASSISTED SEIZURES, IN FY 1987 THROUGH 27 APRIL, THE COAST GUARD HAS SEIZED 65 VESSELS AND MADE 233 ARRESTS; INTERDICTED OVER 511,000 POUNDS OF MARIJUANA; 4,139 POUNDS OF COCAINE, AND 13 GALLONS OF HASHISH OIL WITH AN ESTIMATED VALUE OF OVER $665M. THE COAST GUARD HAS ASSISTED OTHER AGENCIES IN 9 ADDITIONAL SEIZURES, INCLUDING THE INTERDICTION OF 1,842 POUNDS OF COCAINE AND 10,996 POUNDS OF MARIJUANA. AS AN OUTGROWTH OF THE WINTER OPERATIONS AND THE REVISION TO THE MANSFIELD AMENDMENT, MANY CARIBBEAN BASIN NATIONS HAVE COME FORWARD AND ARE ENGAGED IN VARYING DEGREES OF COOPERATION.

ENHANCED COMMUNICATIONS

OPERATIONAL SECURITY SURVEYS HAVE CONSISTENTLY POINTED OUT COMMUNICATIONS SECURITY IS NECESSARY TO PROTECT PLANNING AND EXECUTION OF COAST GUARD DRUG ENFORCEMENT OPERATIONS. WHILE DISTRICT OFFICES, COMMUNICATIONS STATIONS AND

MAJOR CUTTERS (WMEC AND LARGER) HAVE TRADITIONALLY BEEN OUTFITTED WITH CRYPTOGRAPHIC SYSTEMS TO PROTECT LAW ENFORCEMENT INFORMATION, SMALLER COAST GUARD UNITS HAVE LACKED EFFECTIVE MEANS TO PROTECT THIS INFORMATION. THE ANTI-DRUG ABUSE ACT OF 1986 AUTHORIZED $11M FOR ENHANCED SECURE COMMUNICATIONS. I EXPECT A $5M CONTRACT FOR SECURE VHF-FM EQUIPMENT TO BE AWARDED IN EARLY APRIL. THE REMAINING $6M IS DIVIDED INTO $3.5M FOR TACTICAL COMMAND, CONTROL AND COMMUNICATIONS, $1.5M FOR AIRCRAFT SECURE COMMUNICATIONS, $.5M FOR SHIPBOARD SATELLITE COMMUNICATIONS AND $.5M FOR LONG-RANGE HF COMMUNICATION UPGRADES.

AIR INTERDICTION

FEDERAL EFFORTS AGAINST DRUG TRAFFICKING CANNOT SUCCEED WITHOUT PROPORTIONAL PRESSURE PLACED ON ALL MODES OF TRAFFICKING. HOWEVER, IT QUICKLY BECAME APPARENT THAT WHILE SURFACE MARITIME TRAFFICKING IS BEING GREATLY REDUCED DURING OUR WINTER OPERATIONS, AIR TRAFFICKING CONTINUES VIRTUALLY UNABATED. COCAINE AND OTHER NARCOTICS ARRIVING FROM OVER THE MARITIME REGION BY AIR, BEING AIRDROPPED TO WAITING BOATS, OR TRANSSHIPPED THROUGH THE BAHAMAS BY USE OF FAST BOATS INTO THE UNITED STATES, HAS GROWN INTO A MAJOR PROBLEM. THIS WAS ONE OF MY HIGHEST PRIORITIES WHEN I BECAME COMMANDANT AND I HAD MY STAFF DEVISE A CONCEPT OF OPERATIONS THAT WOULD EFFICIENTLY PROVIDE COAST GUARD ASSISTANCE TO OTHER FEDERAL AIR INTERDICTION EFFORTS. I AM COORDINATING THIS PLAN WITH THE NATIONAL DRUG ENFORCEMENT POLICY BOARD AND SEVERAL WORKING GROUPS.

THE ANTI-DRUG ABUSE ACT OF 1986 HAS PROVIDED THE COAST GUARD ASSETS FOR AIR INTERDICTION IN THE MARITIME REGION. $8.6M OF THE $39M APPROPRIATIONS SUPPLEMENTAL FUNDING IS BEING USED TO OPERATE TWO E-2s, WITH OPERATING COST OF THE AIRPLANES AT $7M AND PERSONNEL COST AT $1.6M. OPERATION OF THE TWO E-2Cs WE RECEIVED COMMENCED IN JANUARY AND OUR HU-25 AIRCRAFT ARE FLYING DAYTIME VFR INTERCEPTS. AS A RESULT, THE COAST GUARD HAS ALREADY ASSISTED IN THE SEIZURE OF 528 POUNDS OF COCAINE, THE SEIZURE OF AN AIRCRAFT, AND THE ARREST OF 6 SMUGGLERS IN THE FIRST 12 OPERATIONAL FLIGHTS OF OUR E-2Cs. EIGHT HU-25s WILL BECOME EVEN MORE EFFECTIVE INTERCEPTORS WHEN SENSORS CAN BE INSTALLED. THESE EARLY OPERATIONS, HOWEVER, HAVE IMPRESSED ON ME THE IMPORTANCE OF A SOUTHEAST MARITIME REGIONAL CONTROL, COMMUNICATION AND INTELLIGENCE (C3I) CENTER UNDER COAST GUARD COMMAND FOR AIR INTERDICTION. TO BE MOST EFFECTIVE, ALL AIR INTERDICTION ASSETS MUST BE CONTROLLED FROM A CENTRALIZED LOCATION THAT WILL MAINTAIN THE "BIG PICTURE".

SURVEILLANCE CAPABILITIES

I HAVE IMPLEMENTED $38M OF THE $89M AC&I FUNDING TO PROCURE TWO C-130 AIRCRAFT. I EXPECT DELIVERY OF THE TWO AIRCRAFT IN DECEMBER OF THIS YEAR. ANOTHER $35M WAS TRANSFERRED TO THE NAVY ON 10 FEBRUARY AND AWARDED ON 25 FEBRUARY AS PART OF AN EXISTING NAVY CONTRACT FOR PROCUREMENT OF FIVE NEW PATROL BOATS. $1.8M OF THE $39M DRUG SUPPLEMENTAL FUNDING HAS BEEN ALLOCATED FOR PIPELINE TRAINING FOR THE CREWS OF THE 5 NEW PATROL BOATS AND C-130 CREWS. $3.5M OF THE $39M DRUG SUPPLEMENTAL FUNDING WILL BE USED TO PURCHASE NEW EQUIPMENT INCLUDING NIGHT VISION DEVICES, SURVEILLANCE CAMERAS, AND AIRCRAFT LIFE SUPPORT SYSTEMS.

BAHAMAS INITIATIVES

THE ANTI-DRUG ABUSE ACT OF 1986 AUTHORIZED $5M FOR CONSTRUCTION OF A DRUG INTERDICTION DOCKING FACILITY IN THE BAHAMAS TO FACILITATE COAST GUARD AND BAHAMIAN DRUG INTERDICTION OPERATIONS, AND TO ESTABLISH A MAINTENANCE AND BOAT LIFT FACILITY USABLE BY COAST GUARD AND BAHAMIAN VESSELS. WE HAVE MOVED QUICKLY TO IMPLEMENT THESE FACILITIES. AS REQUESTED BY THE GOVERNMENT OF THE BAHAMAS, A BOAT LIFT FACILITY WILL BE ESTABLISHED AT THE PERMANENT BAHAMIAN DEFENSE FORCE BASE AT CORAL HARBOR, PROVIDENCE ISLAND. THE COAST GUARD HAS ALREADY AWARDED THE CONTRACT FOR A TRAVELIFT TO BE PURCHASED FOR THE SITE. THE SEVENTH COAST GUARD DISTRICT IN MIAMI IS PROCEEDING WITH ENGINEERING PLANS FOR THE PROPER PIER AND FACILITY SUPPORT FOR THE TRAVELIFT. TO ESTABLISH THE DRUG INTERDICTION DOCKING FACILITY, SEVERAL SITES IN THE BAHAMAS HAVE BEEN STUDIED. THE COAST GUARD HAS IDENTIFIED A PROMISING SITE IN THE SOUTHERN BAHAMAS, A FORMER U.S. NAVY SEAPLANE FACILITY LOCATED APPROXIMATELY 2 MILES NORTH OF GEORGETOWN. NEGOTIATIONS WITH THE BAHAMIAN GOVERNMENT FOR THIS PROPERTY ARE ON GOING UNDER THE AUSPICES OF THE DEPARTMENT OF STATE.

COAST GUARD DRUG INTERDICTION EFFORTS IN THE BAHAMAS INCLUDES SUPPORT OF OPERATION BAHAMAS, TURKS AND CAICOS (OPBAT). ONE COAST GUARD HH-3F HELICOPTER HAS BEEN PROVIDING DAYTIME SUPPORT, AND I PLAN TO PROVIDE 24 HOUR COAST GUARD SUPPORT BY DECEMBER, 1987. IN FEBRUARY I ENTERED INTO AN AGREEMENT WITH THE UNITED STATES CUSTOMS SERVICE TO PROVIDE BAHAMAS HELICOPTER AND COMMUNICATIONS SUPPORT AUTHORIZED IN THE ANTI-DRUG ABUSE ACT. THE CUSTOMS SERVICE TRANSFERRED $8M OF THE FUNDS AUTHORIZED TO THEM IN THE 86 ACT FOR THIS PURPOSE.

TO ASSIST IN THESE INITIATIVES FROM WITHIN THE BAHAMAS, THE U.S. AMBASSADOR TO THE BAHAMAS REQUESTED THE ASSIGNMENT OF A COAST GUARD LIAISON OFFICER (CGLO) FOR HER STAFF. THE CGLO REPORTED TO NASSAU ON 2 APRIL AND IS THE PRIMARY POINT OF CONTACT AND COORDINATOR FOR NARCOTICS INTERDICTION MATTERS.

THE COAST GUARD HAS BEEN WORKING CLOSELY WITH THE DEPARTMENT OF STATE ON ALL EFFORTS RELATED TO THE BAHAMAS. AS INDICATED IN THE ACT, THE COAST GUARD HAS RECEIVED CONCURRENCE BY THE SECRETARY OF STATE WHEN CARRYING OUT PROGRAMS AUTHORIZED BY THE ACT. I ANTICIPATE CONTINUED PROGRESS IN THESE IMPORTANT ISSUES REGARDING INTERDICTION EFFORTS IN THE BAHAMAS.

THE COAST GUARD IS MOVING RAPIDLY TO IMPLEMENT FULLY THE ANTI-DRUG ABUSE ACT. AS WE BRING NEW ASSETS AND RESPONSIBILITIES FROM THE ACT ON LINE, WE ARE CONTINUING TO PUT FORTH THE MAXIMUM EFFORT WITH OUR EXISTING RESOURCES. BECAUSE OF THE COMPLEXITY OF THE ILLEGAL DRUG THREAT TO THIS COUNTRY AND THE NEED FOR A COMPREHENSIVE DRUG EDUCATION PROGRAM, I CANNOT PROMISE THAT THE "WAR" WILL BE WON SOON. HOWEVER, THROUGH CLOSE COOPERATION WITH OTHER AGENCIES AND YOUR SUPPORT OF THE PRESIDENT'S INITIATIVES, WE HOPE TO REDUCE GREATLY THE FLOW OF ILLEGAL DRUGS INTO OUR COUNTRY.

THIS CONCLUDES MY PREPARED TESTIMONY, I WILL BE HAPPY TO ANSWER ANY QUESTIONS.

SUMMARY OF OMNIBUS DRUG FUNDING:

$89M AC&I FUNDING

BAHAMA DOCKING FACILITY AND TRAVEL LIFT	$5M
PROCURE TWO C-130 AIRCRAFT	$38M
PROCURE 5 PATROL CRAFT	$35M
ENHANCE COMMUNICATIONS	$11M
TOTAL	$89M

$39M SUPPLEMENTAL FUNDING

RECRUITING	$3.0M
E-2C OPERATION	$8.6M
CURRENT OPERATION	$22.1M
NEW EQUIPMENT	$3.5M
PIPELINE TRAINING	$1.8M
TOTAL	$39.0M